

Proceedings
of the
**1st Special
Convention**
of the

**National Collegiate
Athletic Association**

**Regency Hyatt House
Chicago, Illinois
August 6-7, 1973**



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

U.S. Highway 50 and Nall Avenue

P.O. Box 1906

Shawnee Mission, Kansas 66222

Phone 913/384-3220

September 1973

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1973 NCAA ADMINISTRATIVE ORGANIZATION

NCAA Officers

President

ALAN J. CHAPMAN
Professor of Mechanical and Aerospace Engineering
Box 1892, Rice University, Houston, Texas 77001

Secretary-Treasurer

RICHARD P. KOENIG, Vice-President for Public and Alumni Affairs
Valparaiso University, Valparaiso, Indiana 46383

Executive Director

WALTER BYERS, U.S. Highway 50 and Nall Avenue
P.O. Box 1906, Shawnee Mission, Kansas 66222

The Council

The Council is elected by the annual Convention of the Association. The NCAA president and secretary-treasurer are ex officio members and serve as chairman and secretary, respectively. Nine members of the Council are the eight district vice-presidents and the vice-president-at-large, each of whom is elected for two years and may be immediately reelected for one additional term. Seven members are elected at-large for terms of three years and may not be reelected until three years have elapsed.

- | | <i>Term Expires</i> |
|---|---------------------|
| District 1 Vice-President—Robert W. Pritchard
Head, Department of Physical Education and Athletics
Worcester Polytechnic Institute, Worcester, Mass. 01609 | Jan. 1974 |
| District 2 Vice-President—Ernest C. Casale
Director of Athletics
Temple University, Philadelphia, Pennsylvania 19122 | Jan. 1975 |
| District 3 Vice-President—Ralph E. Fadum
Dean, School of Engineering, 229 Riddick Bldg., Box 5518
North Carolina State University, Raleigh, N.C. 27607 | Jan. 1974 |
| District 4 Vice-President—John A. Fuzak
Associate Dean and Director, School for Advanced Studies,
College of Education
Michigan State University, East Lansing, Michigan 48823 | Jan. 1975 |
| District 5 Vice-President—Stanley J. Marshall
Director, Health, Physical Education and Recreation;
Director of Athletics
South Dakota State University, Brookings, S. D. 57006 | Jan. 1974 |
| District 6 Vice-President—J. Neils Thompson
Professor of Civil Engineering
University of Texas, Austin, Texas 78712 | Jan. 1975 |

1973 NCAA ADMINISTRATIVE ORGANIZATION

The Council (Continued)

- | | |
|---|-----------|
| District 7 Vice-President—Louis A. Myers
Professor of Accounting, College of Business and
Public Administration
University of Arizona, Tucson, Arizona 85721 | Jan. 1974 |
| District 8 Vice-President—George F. Ilg
Assistant Dean, School of Agricultural Sciences
Fresno State University, Fresno, California 93726 | Jan. 1975 |
| Vice-President-at-Large—Ross H. Smith
Professor; Director of Athletics
Massachusetts Institute of Technology,
Cambridge, Massachusetts 02139 | Jan. 1974 |
| Member-at-Large—William Exum
Chairman, Department of Health, Physical Education and Athletics
Kentucky State University, Frankfort, Kentucky 40601 | Jan. 1975 |
| Member-at-Large—Howard C. Gentry
Professor of Health, Physical Education and Recreation
Tennessee State University, Nashville, Tenn. 37203 | Jan. 1974 |
| Member-at-Large—Walter L. Hass
Chairman, Department of Physical Education
University of Chicago
5640 University Avenue, Chicago, Illinois 60637 | Jan. 1975 |
| Member-at-Large—J. William Orwig
Professor of Health, Physical Education and Recreation
Indiana University, Bloomington, Indiana 47401 | Jan. 1976 |
| Member-at-Large—David Swank
Professor of Law and Director of Clinical Legal Education
University of Oklahoma, Norman, Oklahoma 73069 | Jan. 1975 |

1973 NCAA ADMINISTRATIVE ORGANIZATION

Executive Committee

The NCAA president, vice-president-at-large and secretary-treasurer shall be ex officio members of the Executive Committee. The remaining seven members of the Committee are elected by the Council for a period of one year. At least one new member shall be elected each year. Date of first election is shown in parentheses.

Stan Bates (Jan. 1970)

Commissioner, Western Athletic Conference
1515 Cleveland Place, Denver, Colorado 80202

Wayne Duke (April 1969)

Commissioner, Big Ten Conference
505 North Michigan Avenue, Chicago, Illinois 60611

William J. Flynn (Jan. 1971)

Director of Athletics
Boston College, Chestnut Hill, Massachusetts 02167

Marcus L. Plant (Jan. 1969)

Professor of Law, 332 Hutchins Hall
University of Michigan, Ann Arbor, Michigan 48104

Earl M. Ramer (Jan. 1973)

Professor of Education, 13 Henson Hall
University of Tennessee, Knoxville, Tennessee 37916

Polk F. Robison (Jan. 1970)

Athletic Administrator of Finance and Development
Texas Tech University, Lubbock, Texas 79409

Marshall S. Turner Jr. (Jan. 1972)

Chairman, Department of Physical Education and Athletics
Johns Hopkins University, Baltimore, Maryland 21218

Executive Office

Walter Byers, *Executive Director*

Arthur J. Bergstrom, *Building Manager*

Warren S. Brown, *Assistant Executive Director*

Thomas C. Hansen, *Assistant Executive Director*

Louis J. Spry, *Assistant Executive Director*

James H. Wilkinson, *Controller*

David Berst, *Executive Assistant*

Thomas C. Combs, *Assistant Director of Events*

Dave R. Daniel, *Editor, NCAA News*

Marjorie Fleber, *Business Manager*

Grayle W. Howlett, *Promotion Director*

William B. Hunt, *Executive Assistant*

Thomas W. Jernstedt, *Director of Events*

Ralph McFillen, *Assistant Director of Events*

Jerry Miles, *Director of Public Relations*

Lynn Nance, *Executive Assistant*

Fannie Vaughan, *Administrative Assistant*

Shirley Whitacre, *Administrative Assistant*

1973 NCAA ADMINISTRATIVE ORGANIZATION

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FIRST SPECIAL CONVENTION DELEGATES AND VISITORS

Active Member Institutions

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 Assumption College: Andrew Laska
 Bentley College: Elwood N. Shields
 Boston College: William J. Flynn
 Boston State College: James P. Sullivan
 Boston University: Warren H. P. Schmakel
 Brown University: Ferdinand A. Geiger
 Central Connecticut State College: Lowell D. Lukas
 Clark University: Russ Granger
 Colby College: John W. Winkin
 Connecticut, University of: John L. Toner
 Dartmouth College: Seaver Peters
 Harvard University: Baaron B. Pittenger
 Holy Cross College: Ronald S. Perry
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 Massachusetts, University of: Robert W. O'Connell
 Massachusetts Institute of Technology: Ross H. Smith
 Merrimack College: Thom Lawler
 New Hampshire, University of: Andrew Mooradian
 New Haven, University of: Donald R. Ormrod
 Northeastern University: Herbert W. Gallagher
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 Salem State College: Richard L. Schneider
 Springfield College: Edward S. Steitz
 Vermont, University of: Dennis Lambert, Richard W. Powers
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 Westfield State College: F. Paul Bogan
 Williams College: Robert R. Peck
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Albany, State University of New York: Joseph Garcia
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 Bucknell University: Robert A. Latour
 Buffalo, State University of New York: Harry Fritz
 California State College: Paul E. Ross

Canisius College: James L. Bedell
 Cheyney State College: Edwin W. Lawrence
 Clarion State College: Frank Lignelli
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 Cornell University: Jon T. Anderson
 Cortland, State University College: Francis J. Woods
 Delaware, University of: David M. Nelson
 Dickinson College: David B. Eavenson
 Drexel University: John Semanik
 Duquesne University: Clair N. Brown, Ernest L. Conti
 East Stroudsburg State College: John R. Eiler
 Edinboro State College: Allan W. Hall
 Elizabethtown College: John M. Tulley
 Fairleigh Dickinson University, Teaneck: Harvey D. Woods
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 Hartwick College: Leroy Chipman
 Haverford College: Dana W. Swan
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 Hobart College: William C. Stiles
 Hofstra University: Philip R. Theibert
 Howard University: Leo F. Miles
 Indiana University: John Chellman
 Jersey City State College: Tom M. Gerrity
 Juniata College: Walter Nadzak Jr.
 Lafayette College: Olav B. Kollevoll
 LaSalle College: John J. Conboy
 Lebanon Valley College: Gerald J. Petrofes
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 Rensselaer Polytechnic Institute: Robert F. Ducatta
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 Rochester Institute of Technology: Louis A. Alexander Jr.

Rutgers University: Frederick E. Gruninger, Mal McLaren
 St. John's University: John W. Kaiser
 Scranton, University of: David R. Ocorr
 Seton Hall University: Richard J. Regan
 Slippery Rock State College: William C. Meise
 Stony Brook, State University of New York: Leslie F. Thompson
 Syracuse University: Lester H. Dye
 Temple University: Ernest C. Casale
 Union College: R. Bruce Allison
 U. S. Military Academy: John R. Jannarone, William J. Schuder
 U. S. Naval Academy: J. O. Coppedge
 Villanova University: Arthur L. Maban, Philip E. Bender
 West Chester State College: Robert W. Reese
 West Virginia University: Herbert E. Warden, Leland Byrd
 William Patterson College: Arthur Eason

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 Alabama State University: Ulysses S. McPherson
 Albany State College: Rudy V. Patterson
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 Georgia State University: David C. Ewert
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 Mississippi, University of: Richard E. Keyes, Frank M. Kinard, John R. Holley
 Mississippi College: John M. Williams
 Mississippi State University: Charles N. Shira
 Morehead State University: Gene W. Scholes
 Morehouse College: Arthur J. McAfee Jr.
 Morris Brown College: M. J. Powell Jr.
 Murray State University: Cal Luther
 Nicholls State University: Raymond E. Didier, Don Landrey
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 North Carolina A&T State University: Calvin C. Irvin
 North Carolina Central University: James W. Younge, Irving A. McCollum
 North Carolina State University: Robert S. Bryan, Willis R. Casey, Frank Weedon
 Northeast Louisiana University: Bill Beal
 Northwestern Louisiana State University: George E. Doherty
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 South Florida, University of: Donn L. Smith, Richard T. Bowers
 Southeastern Louisiana University: Pat Kennell
 Southern Mississippi, University of: J. Lloyd Milam, Reed Green
 Southern Technical Institute: Fran Florian
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 Tennessee, University of, Chattanooga: James E. Drinnon Jr., Harold B. Wilkes
 Tennessee, University of, Knoxville: Earl M. Ramer, G. Robert Woodruff, Arthur Stowers
 Tennessee, University of, Martin: Robert H. Paynter, Robert L. Carroll
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 Tennessee Technological University: R. Hooper Eblen
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 Troy State University: Joe Hollis
 Tulane University: Rix N. Yard
 Vanderbilt University: Rob Roy Purdy, G. Clayton Stapleton

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 Virginia Military Institute: John G. Barrett, Tom Joynes
 Virginia Polytechnic Institute: Wilson B. Bell, W. B. Matthews, Frank O. Moseley
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 Central State University: Lu D. Wims
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 Chicago State University: George Oberle, Pike Nelson, Dave Rogers
 Cincinnati, University of: William R. Nester
 Cleveland State University: Robert F. Busbey, Merle J. Levin
 Concordia Teachers College: Charles Froehlich, Conrad J. Aumann
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 Hope College: Gordon M. Brewer
 Illinois, University of, Champaign: Henry S. Stillwell
 Illinois, University of, Chicago Circle: Sheldon L. Fordham, Wilma Pesavento, Walter G. Versen, James N. Alexander
 Illinois Benedictine College: Anthony L. LaScala
 Illinois State University: H. Twyman Jones, Milton E. Weisbecker
 Indiana Central College: Robert M. Brooker, Angus Nicolson
 Indiana State University: Gordon H. Chalmers
 Indiana University: Dan W. Miller, J. William Orwig
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 Valparaiso University: Richard P. Koenig, Emory G. Bauer
 Wabash College: Robert L. Henry, Max E. Servies
 Wayne State University: James B. Tintera, Vernon K. Gale
 Western Illinois University: Gil Peterson, Anthony J. Karas
 Western Michigan University: Leo C. Vander Beek, Joseph T. Hoy
 Wheaton College: Robert L. Brabene, Lee Pfund
 Wisconsin, University of, Madison: Frank J. Remington
 Wisconsin, University of, Milwaukee: Thomas R. Rasandich
 Wisconsin, University of, Whitewater: Charles Morphew, Forrest Perkins
 Wittenberg University: Everett H. Bush
 Wooster, College of: Robert M. Bruce
 Xavier University: James J. McCafferty
 Youngstown State University: Willard L. Webster

District Five

Augustana College: Ralph Starenko
 Bradley University: Orville Nothdurft
 Central College: Ronald Schipper
 Central Missouri State University: Floyd Walker
 Coe College: J. Barron Bremner
 Colorado, University of: William H. Baughn
 Drake University: Stuart C. Tiedeman, Robert D. Karnes
 Iowa State University: Louis G. McCullough, John P. Mahlstade
 Kansas, University of: Charles H. Oldfather, Clyde Walker
 Kansas State University: C. Clyde Jones, Ernie D. Barrett
 Louisville, University of: Carl E. Abner, Dave Hart

Missouri, University of, Columbia: Henry T. Lowe, Mel R. Sheehan
 Morningside College: R. D. Halford
 Nebraska, University of, Lincoln: Keith L. Broman
 Nebraska, University of, Omaha: Clyde W. Biggers
 New Mexico State University: Carl R. Hall, Louis R. Henson
 North Dakota State University: A. L. Sponberg
 North Texas State University: William A. Miller, Hayden Fry
 Northeast Missouri State University: James J. Dougherty
 Northern Iowa, University of: Stan Sheriff
 Oklahoma, University of: David Swank, Wade H. Walker
 Oklahoma City University: Lloyd K. Musselman, Paul N. Hansen
 Oklahoma State University: Raymond E. Chapel, Floyd Gass
 Oral Roberts University: Jack P. Wallace, Kenneth F. Trickey
 St. Louis University: Lawrence K. Albus
 South Dakota, University of: Wayne K. Gutzman
 South Dakota State University: Stanley J. Marshall
 Southwest Missouri State University: Aldo A. Sebben
 Tulsa, University of: John P. Dratz, F. A. Dry
 West Texas State University: L. Jack Edmondson
 Wichita State University: Robert M. Holmer, Ted C. Bredehoff

District Six

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 Arkansas, University of, Pine Bluff: Vannette W. Johnson
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 Baylor University: Edwin P. Horner, Jack Patterson
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 Grambling College: Edward G. Robinson, Douglas T. Porter, C. D.

Henry

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 Houston, University of: A. A. White, Harry H. Fouke
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 Louisiana Tech University: Harold J. Smolinski
 McNeese State University: Jack V. Doland
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 Southern University: U. S. Jones Sr.
 Southern Methodist University: Harold Jeskey, Jim Brock
 Texas, University of, Arlington: Richard J. Marquis, Claude R.

Gilstrap

Texas, University of, Austin: J. Neils Thompson, H. M. Macdonald
 Texas A&M University: Charles H. Samson Jr., Emory Bellard, Marvin Tate
 Texas Christian University: Kenneth Herrick, Abe Martin
 Texas Southern University: Roderick Paige
 Texas Tech University: T. L. Leach, J. T. King, Robert L. Rouse

District Seven

Arizona, University of: Louis A. Myers
 Arizona State University: V. Alonzo Metcalf, Fred L. Miller
 Boise State College: Lyle H. Smith

Brigham Young University: Milton F. Hartvigsen, Stanley H. Watts
 Colorado School of Mines: William E. Leckie
 Colorado State University: Perry C. Moore
 Denver, University of: E. Hoyt Brawner
 Gonzaga University: Larry Koentopp
 Idaho, University of: Edward T. Knecht
 Idaho State University: Darold H. Chambers, Milton W. Holt, William E. Davis

Montana, University of: Charles Bryan
 Montana State University: Tom Parac
 New Mexico, University of: Joe E. Martinez, Pete McDavid
 Northern Arizona University: Norman B. Johansen
 Northern Colorado, University of: Donald W. Chaloupka, Joe Lindahl
 Southern Colorado State College: Harry H. Simmons
 Texas, University of, El Paso: Richard W. Burns
 U. S. Air Force Academy: Philip J. Erdle, Frank E. Merritt
 Utah, University of: James R. Jack
 Utah State University: Norman B. Jones, Ladell Andersen
 Weber State College: Dale L. Gardner, Milton C. Mecham
 Wyoming, University of: Joseph R. Geraud, George C. McCarty

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 California, University of, Santa Barbara: Stephen S. Goodspeed
 California State Polytechnic University, Pomona: Donald Warhurst
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 Fresno State University: George F. Ilg
 Fullerton, California State University: Andrew F. Montana
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 Hayward, California State University: Alfred R. Mathews
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 Oregon, University of: Norval Ritchey
 Oregon State University: John R. Davis
 Pacific, University of the: Cedric W. Dempsey
 Pomona-Pitzer Colleges: Edward W. Malan
 Sacramento, California State University: Donald E. Fuoss
 San Diego State University: O. Kenneth Karr
 San Francisco State University: Donald L. Garrity
 San Jose State University: John Caine
 Southern California, University of: E. John Larsen
 Southern Oregon College: Burt Merriman
 Stanford University: John W. Harbaugh, Joseph H. Ruetz
 Washington, University of: Harry M. Cross, Joe L. Kearney
 Washington State University: Edward M. Bennett, Ray Nagel

Allied Members

Atlantic Coast Conference: Robert C. James
 Big Eight Conference: Henry Lowe, Ken Jones
 Big Sky Conference: John Roning

Big Ten Conference: Wayne Duke, John D. Dewey
 Central Collegiate Conference: Robert D. Karnes
 Central Intercollegiate Athletic Association: William Bell
 Eastern College Athletic Conference: Robert "Scotty" Whitelaw,
 George R. Bisacca
 Far Western Conference: Donald L. Garrity
 Gulf South Conference: Stanley Galloway
 Indiana Collegiate Conference: John J. Hinga
 Ivy Group: Ferdinand A. Geiger
 Mid-American Athletic Conference: Fred Jacoby
 Middle Atlantic States Collegiate Athletic Conference: Ernest Casale
 Missouri Valley Conference: A. M. Holmes
 New England College Athletic Conference: Herbert W. Gallagher
 New Jersey State College Athletic Conference: William P. Dioguardi
 North Central Intercollegiate Athletic Conference: Richard G. Koppenhaver
 Ohio Athletic Conference: Michael J. Cleary
 Ohio Valley Conference: Arthur L. Guepe
 Pacific Coast Athletic Association: Jesse T. Hill
 Pacific-8 Conference: Wiles Hallock
 Southeastern Conference: H. Boyd McWhorter, Cecil W. Ingram
 Southern Conference: Lloyd P. Jordan, J. Dallas Shirley
 Southern Intercollegiate Athletic Conference: George H. Hobson, C. Johnson Dunn
 Southland Conference: Dick Oliver
 Southwest Athletic Conference: Howard Grubbs, Wilbur Evans, Cliff Speegle, Harold Lahar
 Southwestern Athletic Conference: Andrew Brown
 State University of New York Athletic Conference: Robert F. Riedel
 West Coast Athletic Conference: Rev. Wilfred H. Crowley
 Western Athletic Conference: Stan Bates
 Yankee Conference: Adolph W. Samborski

Visitors

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 North American Cable: Tom Johnston
 South Atlantic Conference: J. B. Searce
 Wisconsin, University of, Green Bay: Bruce Grimes

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Associated Press: Jerry Liaka
 Bloomington Courier-Journal: Bob Owens
 Chicago Daily News: Dave Israel
 Chicago Tribune: John Husar
 Indianapolis Star: Ray Marquette
 Kansas City Star: Bill Sims
 Memphis Commercial-Appeal: Roy Edwards
 New York Times: Gordon White
 Salt Lake City Tribune: John Mooney
 Sports Illustrated: Kent Hannon
 Tupelo Daily Journal: Bill Ross
 United Press International: Ed Sainsbury

OPENING OF THE SPECIAL CONVENTION

Monday Morning, August 6, 1973

The Special Convention of the National Collegiate Athletic Association, held at the Rengency Hyatt House, Chicago, Illinois, was called to order in the Rosemont Room at 9:15 a.m., by Alan J. Chapman, Rice University, President of the Association.

President Chapman: I would like formally to call into order the Special Convention. As you know, the Convention is called pursuant to constitutional provision, Article 5, Section 6-(b), which provides that, upon request of 12 or more members of the Council, a Special Convention may be called. The Convention was so duly called for the purpose of considering possible reorganization of the Association.

[President Chapman introduced members of the NCAA Council as listed on pages 5-6.]

I would like to introduce Marc Plant of the University of Michigan who has graciously once again agreed to serve as parliamentarian for the convention.

The Official Notice of the Convention will also serve as the Convention program. As you notice in the schedule of events, following the brief opening comments we will enter into a Round Table discussion, chaired by Secretary-Treasurer Koenig and participated in by members of both the Council and the Special Committee on Reorganization. The Convention then resumes at 2 p.m. for the opening business, and we have formally scheduled what is called the Final Business Session tomorrow morning.

According to our provisions, amendments to amendments may be submitted up until 1 p.m. the day preceding the final business session, which is 1 p.m. today; so if as a result of the Round Table discussion some amendments are to be submitted, they can be submitted up until 1 p.m. They can be submitted to the staff office in Room 936.

Earl M. Ramer (University of Tennessee): Mr. President, there is pending before the Congress legislation, both in the Senate and in the House, having a great deal of importance for all institutions represented here today. It affects athletic programs throughout the nation in, I think, an outstanding or exceptional way.

Yesterday afternoon there was in this hotel a caucus of some of our representatives who have been working with senators and congressmen with reference to this pending legislation. Important information was shared at that time on those few persons attending the caucus.

I am wondering whether a few minutes might be spent sometime during this convention to share this information broadly with the representatives. Up-to-date information was presented to this very small group. It seems to me that information ought to be made available to all persons attending this Convention. I have a feeling it could be done so briefly that it would in no way come into conflict with the main items of the agenda.

President Chapman: You are quite right. There are several pieces of legislation in the Congress. Depending on how you view it, some of them will be disastrous to some of our programs. This convention is obviously called for one item, and one item only. We had prepared some hand-out material which we will pass out; and unless there is objection, if there is left-over time near the end of the round table, we might try to describe some of it for you. The main and first order, and the only business before this Convention is reorganization. We would be willing and pleased to conduct an educational type program if there is time between the Round Table and the resumption of business session this afternoon.

[The Opening Session recessed and the Round Table session convened.]

COMBINED UNIVERSITY AND COLLEGE DIVISION ROUND TABLE

Monday Morning, August 6, 1973

The Round Table was called to order by Richard P. Koenig, Valparaiso University, Secretary-Treasurer of the Association.

Chairman Koenig: This Special Convention—the first of its kind in the NCAA—as President Chapman indicated has been called for one specific purpose, to act upon the proposed reorganization of this Association.

The decisions that will be made here today will determine the future course of our Association. Hopefully, we will be talking about the goals that bind us together, about the big principles that are involved; so that in our common quest for achievement, we will achieve that kind of result which is best for most of us, if not all of us.

For the benefit of the newer members, I think we should recall just a bit of history. Actually, back in 1937 the first move was made when a College Committee was appointed. There wasn't too much activity in the interim period, but in 1957 the Association made a move concerning competition, and the first College Division championship was inaugurated.

In 1971 we started moving into the legislative area when we called for conscience voting as an Association.

Reorganization was discussed thoroughly at our January Convention, and since that time you have received preliminary and final proposals from our Reorganization Committee. We recognize that there has been some confusion which has resulted from the different plans. I think this is to be expected. Today the panel is going to help clarify any confusion which still may exist.

With the help of the Reorganization Committee and the Council backing up the panel, I think we have a well prepared presentation.

Those of you who were here in January know that my predecessor, Sam Barnes, told some stories. I think I will follow one of his quotes. You will remember it.

"To everything there is a season and a time to every purpose under the Heaven; a time to be born and a time to die; a time to plant and a time to pluck up that which is planted; a time to kill and a time to heal; a time to break down and a time to build up; a time to weep and a time to laugh; a time to mourn and a time to dance; a time to cast away stones, and a time to gather stones together; a time to embrace and a time to refrain from embracing; a time to gain and a time to lose; a time to keep and a time to cast away; a time to rend and a time to sow; a time to keep silence and a time to speak; a time to love and a time to hate; a time of war and a time of peace."

Now, I ask, if January wasn't the time, this is the time to pass reorganization.

I now have the pleasure to introduce to you the panel.

Appearing first will be Ed Sherman, the chairman of the Special Committee on Reorganization. He served 22 years as the head football coach at Muskingum College. He is currently the director of athletics, a position which he has held for 27 years; and he is also chairman of the Physical Education Department. Professor Neils Thompson has been the faculty representative of the University of Texas for 12 years, a member of the Council, vice-president of District 8 of the NCAA, professor of civil engineering and president of the Southwest Athletic Conference. Ross (Jim) Smith brings to us 38 years of coaching and administrative experience. After 11 years in high school and 15 years at Cornell, he has served 12 years as director of athletics at Massachusetts Institute of Technology. He is the immediate past president of the ECAC, and he is the current vice-president at large of the NCAA.

Ed Sherman (Muskingum College): Mr. Chairman, in listening to that introduction it sounds like the way to get on the panel is to be able to live long enough.

On January 25, 1973 your officers appointed a Special Committee on Reorganization charged with the assignment to present a proposal to restructure the National Collegiate Athletic Association.

I would like at this time to introduce the members of that Committee to you: Richard Bowers, University of South Florida; Harvey Chrouser, Wheaton College; Ed Czekaj, Pennsylvania State University; Andy Geiger, Brown University; Wiles Hallock, Pacific-8 Conference; C. D. Henry, Grambling College; Franklin Lindeburg, University of California Riverside (also chairman of the College Committee); Max Schultze, University of Minnesota; Ross Smith, and David Swank, University of Oklahoma.

I think you can see by that, that the committee had a very broad base that represented large institutions, small institutions, middle-sized institutions; and it represented the philosophies from one extreme to the other.

I can tell you that in their deliberations they were a group of fair-minded men, who considered the viewpoints that were presented both from the standpoint of the Committee and from the impulse we got from the membership. They still did their very best to represent their constituencies. Naturally, the proposals are a result of compromise, both on the part of the Committee and on the part of the Council.

The Committee held its first meeting on February 11 and 12, at which time a proposal was drafted and sent to the membership under the date of February 23. All of you have had an opportunity to read that proposal. We sent a covering letter and asked for any comments you might like to give us.

The Committee then reconvened at a later meeting and reviewed all the comments they had from the membership. We had approximately 75 responses, and at the April meeting those responses were all reviewed. The proposal then was revised and sent to the Council.

One of the first things that the Committee did was agree they would try as best they could to keep the membership informed of any action they took and asked for reactions to the proposals that were sent out.

I would like to turn now to that part of the proposal that deals with the determination of divisions. Keep in mind this is a proposal which will be presented and does not include any of the amendments.

There really are five points that I think I should bring out in discussing the determination of the divisions, and the first point is that there shall be three legislative and competitive divisions—I, II and III.

The Committee started out by suggesting maybe we could call them by colors or names to try to avoid the I, II, III implication; but as we progressed, the discussion always got back to determining them I, II and III. People who wrote in with suggestions and comments also termed them to be I, II and III. I guess rather than fight, we gave in to it, and that is the name given—Division I, Division II, Division III.

How do you get into a division? If for a moment you could pretend you didn't have a football program, each institution shall select its division through the process of self-determination.

For example, an institution may select Division I, but its football program could be in Division II or Division III. However, an institution that elects Division I or is classified Division I in football must elect Division I in all its programs. You elect the division you want in all of your programs except football. Later on I will explain how you now are placed in a division in football. Frankly it is the same division you are now in.

There was some confusion in Bylaw 10, Section 1. The last sentence of the first paragraph reads "A member institution may not elect a division of a higher number than the division in which its football team is classified." The higher number refers to the division numbers as we gave them to you to start with.

The third point is the members of each division may establish criteria for membership in that division, as set by self-determination, following which each institution in that division must be given five years to meet the criteria.

For example, if Division I voted that each member must sponsor a minimum of eight sports, which was left over from the January proposal, an institution choosing to belong to Division I would have five years to meet the criteria. If it had only six, it could take five years to get eight.

Another example might be if Division III decided they didn't want to have any athletic grants-in-aid. If a member decided they wanted to belong to Division III and it now offers grants-in-aid, it could take five years to phase its program into Division III criteria.

A fourth point is that an institution in Division II or Division III may elect to participate in Division I in one sport other than football or basketball. The institution must continue to be a member of Division I in the sport for at least three years and must also apply those parts of Division I Bylaws which govern that particular sport. An example of that would be if a Division III institution wants to have its lacrosse team play in Division I. It can petition the Council as of such-and-such a date and can enter its lacrosse team in the Division I championship, but it must do that for three years. All members of that lacrosse team and the institution must abide by Division I Bylaws as applied to lacrosse.

A fifth proposal is that Division I football shall consist initially of those institutions that are classified as major by the NCAA Football Statistical Committee, as of August 1973.

Remember, I told you at the outset to put football aside and determine the rest of your program. I am trying to explain to you where

your football program will fall.

If you are a major as of August 1, 1973, that is where you start, Division I in football.

Determination of institutions comprising Division II and Division III in football shall be reviewed by the NCAA College Football Committee subject to the approval of the Council.

Now, those of you who are already in divisions—we already have three divisions in football—you would stay in the division you are now in, except I understand the members of the Council have said this: Should you now be in Division II in football but want to classify your program in Division III, you can petition the Council right away to have your football program put into Division III. You cannot be in Division II in football and declare the rest of your program in Division III.

Any legislation that involves football, that is applicable only to football, would be voted on only by the members of your division.

The next thing I would like to discuss with you is how you change from one division to another. An institution may change its division by petitioning the Council. If the member has met all applicable criteria, if there are any, of the division into which it intends to transfer, its membership shall be transferred to the new division.

This proposal came from the Committee, and its purpose was to eliminate the various classification committees that we now have.

The second point under change of division is that all applications for change of division must be received by the Executive Director no later than June 1. If approved by the Council the change shall become effective the following September for a minimum of three years.

The next part that I am assigned to present is the part on national championship competition. There are a number of points under that.

No. 1. Not later than the 1975-76 academic year 39 national championships will be sponsored with at least 10 championships in each of three divisions. You will note the Committee thought it advisable to phase in the championship program over a three-year period for various reasons, one of them being economy, of course.

Each of the three divisions will have national championship competition in the following sports:

Baseball
Basketball
Cross Country
Soul
Soccer
Swimming
Tennis
Outdoor Track
Wrestling.

The third point is that Division II and Division III each will have a football championship. That was passed in January.

A fourth point is that gymnastics and lacrosse championships will be sponsored in both Division I and Division II, and members of Division III will be eligible for the Division II championships in these sports because they will not have championships in those two sports.

Sports in which there will be only one championship are:

Fencing
Ice Hockey
Skiing
Indoor Track
Volleyball
Water Polo.

All members are eligible for these championships.

The Council has made a ruling that in cases of sports where all members are eligible, you will abide by your own division eligibility rules and regulations and criteria and not have to abide by the Division I criteria. I think that also applies for the Division III people who want to participate in the two sports in which they do not have championships—lacrosse and gymnastics.

The sixth point on championship events applies to individuals. In an individual event, certain place winners from Division II and Division III championships who meet the qualifying standards shall be eligible to compete in the Division I competition, provided such individuals have met all academic and eligibility requirements of Division I, including the academic standards for initial participation.

It simply means that there will be certain standards set up. If Division II or Division III track men can meet those standards in one event, they can participate in the Division I championship, providing they meet all the eligibility standards, both as of now and as of the day he enrolls in his institution.

If the reorganization plan is approved, 1973, 1974 and 1975 meets and tournaments will be renamed to coincide with the new names of the respective divisions.

Legislation presented at the 68th annual Convention in January 1974 will be subject to the provisions of the revised bulletin.

The restructuring of the NCAA Council will be accomplished by the Nominating Committee at the 1974 convention, except that any present Council members may complete their present terms of office.

The Executive Committee appointed by the Council for 1974 will conform to the provisions adopted by the Special Convention.

I would like to read to you the phasing in of Division III sports as it will occur. In 1974 three sports will be phased in—wrestling in March, outdoor track in June and soccer in November. In 1975 basketball and golf will be added to the Division III championships. In 1976 swimming, baseball and tennis will be added.

Chairman Koenig: In Ed's last comment he failed to mention cross country which would come in November 1973.

J. Nells Thompson (University of Texas, Austin): At this time I would like to present to you the organization of the legislation.

A few brief remarks are in order before proceeding to this. I think all of us attest to the fact that we are interested in intercollegiate athletics. Your being here today is a verification of that. The maintenance of a strong and effective NCAA is most important, and it is more important today than at any time in the past history of the NCAA. Our institutions can retain control of intercollegiate athletics only if we can organize NCAA into an effective body to serve a broad spectrum of programs we have in our institution.

To make NCAA more viable, more responsive to the needs of its

membership, it is essential that we must adjust the NCAA governing structure. Therefore, Proposal 1 provides for the maintenance of the NCAA Constitution. It provides for it as a single document, and it is applicable to all institutions. It will continue to require two-thirds majority to amend.

Next, I would like to turn to Proposal No. 2, which is concerned with the Bylaws; and of course the Bylaws initially are the same for each division. Each division may amend its Bylaws, but these amendments must not be inconsistent with the Constitution. By a majority vote of the members in a division present and voting such legislation can be passed to apply to that particular division. You will note subsequently in Proposal 9 (a) each division of the Association may at any convention by a majority take this action.

While we are here at Proposal No. 9, I want to call your attention to a certain feature regarding the Bylaw provisions. If adopted by any particular division, these provisions or amendments are subject to a review of the Convention as a whole, sitting here together. If any delegate chooses at that time, he can move that this amendment be rescinded; and it must be done immediately.

I might add that in 9 (d) editorially we are inserting "to immediate review." The word *immediate* is being put in there.

By a vote of two-thirds of the Convention assembled such an amendment could be vetoed.

I must say that this provides, I think more than any other amendment that we are considering, for the maintenance of the strength of the NCAA as a single institution and association.

It is felt by the Committee and by the Council that this enables two things: first, a quick review of legislation and action which you can act on immediately and second, a much clearer and a much more effective constitution. We think this is a key feature, and I hope it is understood.

Next, I should like to comment on 9 (e) which is in regard to members in Division I which are also in Division I football. They may submit Division I legislation applicable only to football and only subject to the votes of Division I football members. If adopted it will only be applicable to such members.

Your attention next is called to 9 (f). An institution which has its membership in a different division than its football classification shall vote on amendments pertaining to football in that division in which its football team is classified.

Your attention now is called to 9 (g) wherein it provides for the membership and voting of allied members. They shall be entitled to a vote in the division in which at least fifty per cent of their institutions hold membership. In the event that an allied member's constituency is evenly divided between two divisions or its membership is divided among three divisions without fifty per cent in any division, they may submit an application for divisional membership to the NCAA Council and the Council can take action in this regard.

Boss Smith (Massachusetts Institute of Technology): My assigned topic, representation, is not a long topic. I would like to preface my remarks with a couple of comments before I move into my assignment.

Most of them deal with the recent background, the background from last January, surrounding the development of the program, the pro-

posal, particularly as it relates to representation.

The first point I would like to make is that there have been two prime objectives abundantly clear to the Reorganization Committee and to any of the membership that I have talked to. Any reorganization package that is effective is going to have to provide for self-determination as far as possible, and I emphasize that because the minute you get two people together there has to be some compromise. If we don't have self-determination, with this one restriction as far as practically possible, we never would move into the second objective which is to retain the structure. We restructure the NCAA in a package that will bring results in one single organization, a united front. The best interests of our membership however varied may be our programs within the natural grouping.

It appears there are three natural groupings. As the plan is refined there are provisions for this to be changed if necessary.

The second point I want to make is the importance of the process of give and take and the amount of give and take that has been required within the Reorganization Committee. Chairman Ed Sherman mentioned this. There has been a lot of it in the past to bring out what we have today. I think there is going to have to be considerable more give and take here at the Convention; and I know we will need it in the future, as we make the refinements that are provided for within the proposal.

The several items concerned with representation which I am about to present were not achieved easily. There was a lot of long, hard, soul-searching within our own Reorganization Committee before we finally arrived at a position of unanimity. I would say, even though there wasn't complete agreement, we had to feel that the package that you see is one that we can agree does assure a voice for all the segments of the three divisions, and it is a guarantee that we don't presently have in our present structure.

I hope we don't get hung up today or at any future time on what many of us feel are minute and not so minute differences. I guess it is reasonable to say that a perfect plan isn't possible in terms of the interests of all 660-some institutions; but in this give-and-take, and representation is one of the key issues where there is an important adjustment, I think we can agree that the plan is acceptable.

To move into specifics, the restructuring is provided as follows: Each of the eight districts shall have a vice-president on the Council. There will be six vice-presidents-at-large.

Among these 14, eight will be from Division I, three from Division II and three from Division III.

The President and the Secretary-Treasurer will be ex-officio, and they may be elected from any of the three divisions.

The Executive Committee shall total eight members—five from District I, and each of the Divisions II and III will be guaranteed at least one member.

Again, the President and the Secretary-Treasurer shall be ex-officio members of this committee.

Beyond the Council and the Executive Committee, the plan also provides that playing conferences—in other words, those in which there are regular season schedules among the conference members—no single conference will be represented on any standing committee

or on the Council by more than one individual member.

On all the standing committees it is guaranteed that each of the divisions will be given appropriate representation. This is particularly true on the rules and tournament committees.

The Council has said if this plan passes at this Convention, the first charge that will be reissued to the Committee on Reorganization will be to implement legislation that will be effective in regard to continuing this philosophy of representing each of the three divisions on each of the committees.

Chairman Koenig: We are now ready for the question-and-answer period. We hope that the presentations have answered some of the questions which some of you may have. If you still have questions, we hope now that you will use this opportunity so that we can move into the session this afternoon with a clear understanding on the part of all of you of exactly what we are trying to do.

Robert A. Latour (Bucknell University): I would like, if I may, to request an editorial change on Proposal No. 12, concerning the intent. We feel there is an error here. We would like to make an editorial change. The word *equal* we would like to cross out and place the words *more reasonable*, feeling that 8-8-8 would be equal but 8-4-4 would be more reasonable representation.

Chairman Koenig: That is very much in order. Would each of you so note? You notice the president of the conference which submitted the proposal has clarified the intent.

Jesse T. Hill (Pacific Coast Athletic Association): I would like to direct a question for the Chairman of the Reorganization Committee for clarification purposes.

Proposal 9 (d) provides that a Bylaw provision adopted by any division shall be subject to review by the Association in convention assembled and may be rescinded by a two-thirds vote of the delegates present and voting.

If Division I football makes a ruling that is applicable only to those in Division I football, is that ruling subject to Proposal 9 (d)?

Mr. Thompson: In this regard it is only if it goes into the Bylaws. If it goes into the Bylaws it would be subject to that action by the group as a whole. If it is not a Bylaw it is not subject to the action of the convention. That would be my interpretation.

Chairman Koenig: Another way of saying it positively is that all Bylaws are subject to review by the Association.

Parliamentarian, do you agree with that?

Marcus L. Plant (University of Michigan): Yes.

John R. Davis (Oregon State University): On that same part of the proposal, one question on Proposal 9 (c): "All legislation of the Association shall be adopted with the three divisions meeting in joint session at the Convention."

I suppose this means that any adoptions or amendments must be done with all three divisions meeting simultaneously in one session. Is that correct?

Mr. Thompson: That is correct, so you can hear all the discussion. I think it would be possible for a division of the whole to take a two-thirds dissenting vote, and the debate within Division III or an amendment to the Bylaws would need to be heard by the entire division.

Mr. Davis: It would be assumed then that the debate involving the

Bylaw change by one division could be entered into by the members of another division.

Mr. Thompson: I am not sure how the Chair would rule such action in this regard, whether an individual would be ruled out of order in the discussion of a Bylaw when that division is acting on that Bylaw. I would need to defer to the parliamentarian.

Mr. Davis: This is just a question of interest. I don't know whether the parliamentarian is prepared to answer a question like that now, but it really doesn't affect the legislation.

Mr. Thompson: There are many aspects as far as procedure, and we haven't gone too far down the road. That is a good point.

Mr. Davis: On Proposal 9 (e), I think there is a grammatical error in here. "Members of Division I which sponsor intercollegiate football classified as Division I may submit legislation applicable only to football."

If that is taken in direct contrast, it means my institution, classified as Division I, when we sponsor Division I football we could submit legislation applicable only to football, not to any other sport. I don't think that is the intention.

Mr. Thompson: That is not the intention.

Mr. Davis: I think the word *only* might be misplaced. You should say "only members in Division I" and so on "may sponsor legislation which is applicable to football."

I would suggest that as a correction in this part of the whole. It is not taken in direct context.

Chairman Koenig: That is a good point. The intent is clear, and the gentleman points out a clarification.

William Flynn (Boston College): Representing the ECAC as its president, I would like to refer to a question that was just asked, namely on Proposal 9 (e), whether or not when the football playing colleges have legislation, it is subject to the veto power in Proposal 9 (d).

Now, Mr. Thompson said it will have to do with the Bylaws. I believe the Convention can only act on the Constitution and Bylaws and executive regulations, so I presume, therefore these would have to do with Bylaws.

It is the feeling of the Executive Committee of the ECAC that the (e) were placed before (d) it would clarify it and therefore (e) would be clearly subject to (d).

Chairman Koenig: That could be handled. You already heard my answer, which came from the parliamentarian. Indeed, Bill, you are correct.

Edward Stettz (Springfield College): I appreciate hearing the rationale of the Committee relative to the differences in academic requirements which would be permitted. It appears to me that the writing in of the differences of academic requirements only encourages different academic requirements as standards for divisions. I really have a concern about this. I have a concern because many of our campuses at Boston have academic discipline. I am worried to the point that if it is the Committee's thinking, I would like to know it. I am worried to the point that on our campuses we are going to have some teams under certain academic requirements and others on a different set of academic requirements.

Basically, my question to the Committee is would not the writing in of academic requirements encourage the divisions to go ahead and set up academic requirements?

Mr. Sherman: No, I don't think the Committee had that in mind. I think the Committee, when it was discussing these issues, was more involved in other criteria than academic. I am not familiar enough with the Constitution to know, but it seems to me the academic requirements would fall under that category, and the remarks that I made at the end referred to the ruling the Council has made in the exchange here, that if there is only one championship, then whatever criteria this division had, it would be able to enter into the one championship without changing any of the rules and regulations.

Mr. Steitz: I understood that, sir. The basic principle to which I am addressing myself is the fact that I can see in the future where we can have one division with an entirely different set of academic requirements. It might be III versus I or I versus III, and my fear is that this would not enhance the image of the entire Association with our academicians right back on our own campus.

Mr. Smith: I think all through the deliberations of the Committee there has been no attempt to encourage separate standards as much as to enable the natural grouping to set standards that were appropriate within the group. Recognizing that there is a very wide range of program, a very wide range of philosophy, I think it would simply enable us as part of what we thought was again an attempt at self-determination.

Mr. Steitz: I have no thought whatsoever about having differences in numbers, financial aid versus nonfinancial aid, so far as the requirements of the division; but I have a very serious concern about having different standards of academic excellence among divisions.

Mr. Sherman: As I remember—the Committee members can speak for themselves—in our deliberations I don't think we were concerned with the academic standards along the line. We were more concerned with such things as the number of grants-in-aid and that kind of thing.

Mr. Steitz: Thank you. That answers my question.

Robert M. Whitelaw (Eastern Collegiate Athletic Conference): Representing the ECAC, I would like to make a few comments in complimenting the Council for their prompt action in this matter following the January meeting in Chicago and the Reorganization Committee, headed by Chairman Sherman for an excellent job and a very reasonable job. I commend them.

I have a couple of comments and questions that came out of our conference meeting yesterday.

The question is: Will the Proposals 1 through 4 on the basic plan of reorganization be voted upon first, or will the amendments to these basic plans be taken first?

Chairman Koenig: Mr. President, it is my understanding they will vote on them in the order in which they are presented in the program.

Mr. Whitelaw: The first amendment has to do with basketball. Will you vote on that upon completion of No. 5 or will you take No. 5 and vote upon. . . .

President Chapman: In a case like No. 5 and No. 6, No. 5 would be introduced. At that time the proposer of No. 6 would move it as an amendment to No. 5. That would be voted on. Then, depending on

whether it was adopted or not, amendment No. 5 would be voted on. No. 5 would have to be introduced before No. 6 is proposed.

Mr. Whitelaw: That applies to No. 7 also?

President Chapman: Yes.

Mr. Whitelaw: The second question we had was the interpretation the Council gave this morning on Amendment No. 9 (d) in which it says that this is subject to review, but it must be immediate review. Does that mean if it is proposed and acted upon, they cannot go back to that particular action that was voted upon if they wish to have it reconsidered?

Mr. Plant: That question was raised by the Council as to changing paragraph (d) to require immediate action to rescind if such action is proposed.

While it is true that in general parliamentary law a motion to reconsider is in order until the assembly disperses finally, unless they finally adjourn, this Convention has not followed that policy in the past. You may recall on several occasions when important measures were passed in the morning and a motion was made to reconsider in the afternoon. On one occasion the parliamentarian ruled that it was in order, and the ruling was rescinded.

So our policy has been that once a measure has been passed, motion to reconsider, although generally parliamentary law would permit it, has not been the policy of the Association. There is some feeling that it is unfair to have a motion passed in the morning and reconsider it in the afternoon.

I think it is in the light of that general approach to our procedure that the Council has made the suggestion that any action to rescind the Bylaw must be done promptly, when the Bylaw has been enacted, or else it goes over until the next Convention and can be brought up again in the form of a proposal for Constitutional amendment. It does not mean that the Bylaw is on the books forever. It is really a rule of procedure that in a Convention a given measure be disposed of promptly.

Mr. Whitelaw: One small remaining point on Amendment 6-1-(c), as an example of a member establishing criteria, there might be a hypothetical situation where eventually Division III determines they do not want to get involved in the grant-in-aid principle, but Division II does have the grant-in-aid principle. Then a Division II member, for some reason, wishes to go to Division III and is approved. It is my understanding now that if that happens it would be a five-year period in which the Division II team could continue its grant-in-aid awards, and they would be phased out within the five-year period. Is that right?

Mr. Sherman: I don't know that the mechanics have been worked out on that, but this is a personal kind of thinking on it. If a member of Division II decides it wants to be in Division III and III does not have grants and this school does have them, they at the moment they make the decision to go to III must cease to offer any grants. They would have to honor the ones they had already agreed upon, but that is my own personal interpretation of it. I don't know whether the Council would go along or not.

Mr. Smith: There is one other point No. 5, Section 2, in the first paragraph, regarding change of division. The third sentence: "If the

Council determines that a member has met all applicable criteria (if any) of the division to which it intends to transfer, the member shall be transferred to the new division, effective the September 1 following submission of the petition."

This question would perhaps open the fact that if Division II indeed had a number of grants-in-aid, they would not and could not meet those criteria and could not be transferred until such a time.

Chairman Koenig: I asked Marc Plant to stay so he can once more answer Bill Flynn.

Mr. Plant: I wanted to clarify the response that I made by nodding my head a moment ago. The question was raised originally when Nells was talking about paragraph (e) in Proposal 9, and his response was that the two-thirds rescission operation would apply only if the legislation took the form of a Bylaw.

I agree with that, but the question seemed to say that that is the only kind of legislation this Convention can engage in. That is not the case. There are other changes in legislation the Convention can engage in. For example, if you take the Manual, you'll see that Article 6, Section 4 of the Constitution says that legislation may be enacted through resolutions not inconsistent with the Constitution or Bylaws at any annual Convention by a majority of the delegates present and voting, provided the legislation is of a temporary character effective only for the time specified in the resolution itself.

Now, that is a form of legislation that I would think would not be subject to rescission as the provision stands now.

Another kind of legislation that the Convention can engage in is the enactment of recommended policies and practices. The Association's Council from time to time in convention may adopt those. I would suppose that is another form of legislation that is not a Bylaw; and therefore, the rescission provision would not apply to it.

Mr. Flynn: Could that type of legislation be done by a division? It is not clear to me whether a division could do so?

What you are talking about would be done by the entire body, not by the division.

Mr. Plant: I hadn't thought of that, so I don't want to answer you now. I will come back to you.

Marshall Turner (Johns Hopkins University): I share Ed Steitz's concern about the academic standards interfering with the divisions, and I raise the possibility that this can be done. I therefore want to ask a question.

On Proposal No. 5, Section 3 (a) deals with student-athletes. Let's say two athletes from Division III would qualify for Division I track in terms of their speed or distance or whatever. Let's assume Division III had a 1.8 standard, but Division I championships had a 2.0 academic standard. Would this mean that in the event I have two boys who would qualify to go to Division I championship and one was in 1.8 he would not be able to go?

Mr. Sherman: I think that is correct.

Bob Guelker (Southern Illinois University, Edwardsville): My question concerns Proposal No. 5, Section 2 (a), which states that if an institution which is a member of Division II or Division III wishes to participate in Division I in one sport it must notify the Association's Executive Director in writing not later than June 1. Does that mean

that none of us will be permitted to participate in a sport in Division I until next year, or is there provision that we can put it into effect immediately?

Chairman Koenig: Should this Convention adopt reorganization, each of you will be sent, probably within the next month, a form on which you will declare your intention. At this particular moment, when you declare your division, you will have an opportunity to file a petition to see what you are trying to achieve, whatever that may be.

Mr. Guelker: For example, would it be possible for us to be recognized within the next month or by September according to this legislation? We are interested in one of our college sports moving up.

Mr. Smith: The Council has discussed this, and they recognize the timing problem this year. The intent is to allow you to establish your division and step up in a sport in time for the fall sports championships in 1973, and presumably there has been no date set but sometime in early October you will have had time to check with your respective authorities at your school or institution. Whatever check you would want to make, you will have adequate time before the fall championships.

C. D. Henry (Grambling College): My conference wishes to vote on No. 9 first, the section on Voting and Amendments. In order to change the order of voting is it necessary to have two-thirds vote to change that item?

Mr. Plant: It seems to me we have to vote the Constitutional enabling legislation first before we start voting on the Bylaws, because without the Constitution having been amended to provide for the enactment of the Bylaws, it is meaningless to vote on the Bylaws.

Chairman Koenig: Does that answer your question, Mr. Henry?

Mr. Henry: Yes, but I don't understand it.

Donald Combs (Eastern Kentucky University): My question is if you were in Division II and you had individuals who qualified for a sport in Division I, can they enter as a team, or do they enter as individuals? For instance could a relay team enter into Division I?

Mr. Sherman: A relay team, yes; a team representing the institution, no—I think would be the answer of the Committee.

Mr. Smith: There seems to have been a little confusion. It isn't simply a matter of two or three institutions actually meeting a standard for Division I in a sport like track or swimming, but the plan provides that the Council or the Executive Committee will determine how you qualify for one championship to move up to another. It could be three places, the first three or the first four. It is going to relate to the sport itself. As we do right now, you may qualify through placing in Division II or III to move up to Division I, not simply meeting a time standard.

John R. Davis (Oregon State University): In regard to that particular issue on No. 5, Section 3 (a), (b) and (c). Just to avoid any confusion, this does refer in Section 3 (a) and (b) to Bylaw 6-4-(d), 6-4-(a) and 6-4-(b); and we are all used to the numbers 4-6, when it comes to institutional requirements.

I just want to be sure we all understand we are talking here about two requirements. One would be Bylaw 6-4 (a), (b) and (d) which refers to the rules, meets and tournaments—qualifying time, placing and so on. In addition there would be the eligibility requirements of Division I.

Is that correct?

Mr. Smith: That is correct, except the Council has agreed that in six sports where there is only one championship the Division III and II members will be guaranteed the right to participate during the phasing period of three years. After that they must meet all standards as well as quality.

Mr. Davis: One other question. Let me phrase it as an example, again to clarify the matter of the student or the relay team participating in track from Division II or Division III who wishes to compete in Division I.

Let's assume Division III has a 1.6 academic requirement, and Division I has 2.0. If the student meets the 1.6 and also meets the 2.0, I presume he would be eligible to compete in Division I Championship if he elects to do so.

Can he compete in all three championships, in Divisions III, II and I?

Mr. Sherman: No. He can go from III and II to I, but he can't go from III to II.

Mr. Davis: Could he compete in Division III Championship and Division I Championship in the same year?

Mr. Sherman: Yes.

Chairman Koenig: He can do that now, in the College Division and the University Division.

John Chellman (Indiana (Pennsylvania) University): Just by way of information on Bylaw 8, Section 4 (d). It states: "The Executive Regulations shall specify the number of individual student-athletes in Division II and Division III Championships who may qualify for the National Collegiate Championships in the sports of cross country, golf, gymnastics, swimming, tennis, outdoor track and wrestling."

The question I want to ask is by what criteria is that number designated, and where you have a criteria measurement, such as you do in swimming and track? Would that number selected from Division II and III vary for the championship? Let us suppose the almost ridiculous example, say you have in Division III six sub-four-minute milers, and by chance in Division I, you did not have one person with a comparable time to those in Division III.

My question is: Would all six from Division III be invited to compete, and although the Division I winner's time is not comparable to the time of the six men from Division III, would he compete? What would be the criterion here? Where it can be measured in track and swimming? It's a little bit questionable in cross country. Would that criteria be the judge of the number selected?

Mr. Sherman: I think the criteria would be set ahead of time; and they would have to use the criteria to move up to Division I, whatever it might be.

Mr. Chellman: If you have 10 higher in the criteria than the one in Division I, would all 10 be invited?

Mr. Smith: Presumably there would be a placing factor as well as a time factor, and I suppose a blanket finish of six men at the same time is possible, but it is entirely unlikely. There would be a judgment, by some means or other, that would say the first three or the first four, whatever it is, would move up and the others would fall.

Robert Ray (University of Iowa): I would like to call the attention of the Committee to Proposal No. 5, and ask whether or not the cri-

teria established by each division, assuming it is consistent with the Constitution, would be subject to veto provision of item (e) under Proposal No. 9.

Presumably this is another form of legislation. I would like to call this to the attention of the parliamentarian and ask him—inasmuch as these criteria are to be left to the divisions within their total determination and provided they are consistent with the Constitution—would they not be subject to the veto provision?

Mr. Plant: That ties in, I think, with the question Bill Flynn raised. I will answer Bill first. On the study of the proposed amendment, it seems to me that the kind of legislation I mentioned when I responded a moment ago would not be within the authority of the membership of a division. The legislation clearly specifies that each division may enact Bylaws applicable to itself, so legislation by resolution or the enactment of recommended policies would not be within the authority of the division.

On the other hand, responding to Mr. Ray, it seems to me the establishment of criteria is clearly vested in the division by this language; and it will not constitute Bylaws and would not be subject to rescission by two-thirds vote.

Now, there were two other items. First the question was raised a moment ago. When they were meeting in general assembly, can the members of one division participate in the discussion while the members of another division were considering an amendment to the Bylaws that would affect them only? I would certainly think that they would be free to participate in the discussion. The whole purpose, as I understand it, in having these matters approved by the Convention as a whole is so not only the division which has the proposal before it may be heard, but also any objection to it may be heard which may very well have an influence on the action that the division proposing the enactment of the Bylaws may take.

For example, suppose Division I had a proposal before it that each member should be subject to a national letter of intent. It seems in order to me that the members of another division who object to the idea of a national letter of intent might feel they should have an opportunity to speak.

The restriction I think comes in the voting rather than in the discussion.

Then I gather that my response to Mr. Henry was not quite clear.

Mr. Henry: I was looking at Section 2, on the order of business, and I was wondering if a request for a change of agenda was in conflict with the provision of the Constitution and Bylaws.

Mr. Plant: My response to that is that in accordance with the Executive Regulations the order of business may be changed by two-thirds vote, but there is a more basic problem. I think the Convention is not authorized to vote on these proposed Bylaws until the Constitution has been amended to authorize it to do so. Proposals 1, 2 and 3 would have to be voted before the Convention has any authority to consider the Bylaw proposals.

After 1, 2 and 3 have been enacted, I presume it would be entirely in order to make a motion to change the order of business. Executive Regulation 1 provides that the order may be changed by two-thirds vote of the members present and voting.

David Swank (University of Oklahoma): You said the criteria could not be voted on. How can they establish criteria without making it a Bylaw? If a division cannot adopt any other type of legislation, they have to settle criteria by Bylaws, don't they?

Mr. Plant: That could be a special type of legislation. I don't know that it would have to be put in the Bylaws.

Mr. Swank: I think the Council's position on this is that it would have to be adopted by Bylaw. Your criteria would be subject to recall or reconsideration by the Convention.

Mr. Plant: I think the language ought to be clarified to make that distinction clear. I don't think it is clear now.

George Ilge (Fresno State College): I agree with Dave.

I think there is one other point which may need some clarification. As far as the rescission power is concerned, if we limit ourselves to the time immediately subsequent to the enactment of the Bylaw for the power of rescission, we may raise mechanical difficulties. If Division I passes a Bylaw at this Convention, and it is not challenged here as far as rescission is concerned; then if someone wants to challenge that by a Constitutional provision as an executive regulation—which would be apparently the only way they could do it—I think we would see some mechanical problems.

Right now, for example, we have in the Bylaws the legislation concerning numbers. In order to get that passed, we had to pass the enabling act to the Constitution, giving the power to enact such legislation by divisions.

If anyone were going to challenge that, we could get into a pretty sloppy arrangement because we have already given the division the power to enact its own legislation in the Bylaws.

When you want to challenge it, you have to in effect put the Bylaws in the Constitution. Otherwise you take the enabling power away from the division.

I think perhaps the Council should consider allowing amending at subsequent Conventions, which goes to the Bylaws without getting back into the Constitution. I think you can run into a lot of tricky problems if you don't.

John A. Fuzak (Michigan State University): The Council, I think presumes that what you said. I don't think it quite accurate but there is no other way to handle it. I am sure whatever the Bylaws propose for each group will be circulated ahead of time, and the delegates at the Convention will know what the proposed Bylaws are and for each division. There will be no lack of knowledge ahead of time, and I believe there can well be a readiness to challenge immediately. I don't believe there is any great problem.

As a matter of fact, it would also be possible, knowing ahead of time what the proposals are, for any group to propose Constitutional requirements for that Convention.

I believe there are several ways to approach this, and I don't believe it is quite as restrictive as you indicate.

Mr. Ilge: Let me give you an illustration. Actually the word "maker" in the whole thing is to make it as clean as possible.

Let's assume a division wants to amend a Bylaw having to do with limitation of numbers; and at the time of the Convention, no one objects to it. Subsequently, having lived with that Bylaw for a year,

Division II feels it is an unfair advantage gained by Division I. They now want to change that limitation that is now in the Bylaws. It seems to me the only recourse they would have would be a Constitutional amendment.

When they go to present that, they are faced with an enabling act which says each division can establish its own number of limitations. What we are asking is—I am just looking for information—what form does take an attempt to change that?

Chairman Koenig: I think your point is made. You have a question of mechanics. We have made a note of it up here, and the Council will consider it.

Robert James (Atlantic Coast Conference): I would like very much to request the Council and the parliamentarian to clarify the interpretation given on Proposal 5, Section 1 (c). It would bear very heavily on our position in this matter if the interpretation by the parliamentarian is accepted.

Mr. Plant: My only suggestion was that two clarifying words might remove this ambiguity. For example, in that paragraph, "The members of each division may establish criteria for membership in that division," you could put in the words, "The members of each division may by appropriate Bylaw . . ." or something of that sort. It did not read that way to me when I looked at it.

Wilmer Reynolds (Gallaudet College, Washington, D.C.): I have a question also relating to mechanics. Does the approval of 9 (c) preclude the separate divisions meeting together?

If we must meet in joint session to propose legislation, I can see that in the future, the NCAA Convention may last two or three weeks. How can the three divisions meet in joint session, working the mechanics of all their legislation, one at a time—Division I, Division II and Division III? Can the divisions meet, discuss among themselves what kind of criteria, for example, they have to have, then bring it to the floor where all can hear it?

Mr. Sherman: I think when the Committee discussed the mechanics of the annual meeting, they had in mind that each division would meet independently for their own Round Tables and their own discussion of legislation, and then the President would call the caucus at which time any legislation would be considered.

Chairman Koenig: You will recall there is already a precedent set for separate Round Tables, and this particular point would be very much in order to follow that.

Allan Kornberg (Duke University): Do Mr. Plant's previous remarks concerning individual divisions establishing criteria, other than the Bylaws and Constitution, which would not be subject to the two-thirds retaining rule mean that individual divisions could establish criteria other than in the form of Bylaws so they would not be subject to the two-thirds rescinding provision?

Mr. Plant: I answered that question in the first instance, but Dave Swank said that is not the intention of the Council. The Council contemplates that the establishment of criteria will be by Bylaw and that the Bylaws' revision established by the criteria may be rescinded by the two-thirds vote. My suggestion is if that is what the Council intended, a slight change in language will make the intent more clear than it is now.

Chairman Koenig: Rather than asking the Council, I am going to ask the chairman of the Committee whether he thought that was the intent of the Committee.

Mr. Sherman: You put me on the spot there because I think in the discussion of that part of the proposal by the Committee, they have probably expressed how the Committee felt although the Committee did not recommend it.

Charles Oldfather (University of Kansas): Could I suggest that the parliamentarian and everybody else meditating on this look at Proposal No. 2? Power was given to the divisions to adopt or amend Bylaws.

Mr. Plant: I don't think there is any question about that. The question is: Can the Bylaws be rescinded? Proposal No. 5 says expressly that any Bylaw enacted pursuant to authority granted under Proposal No. 2 by the division may be rescinded by two-thirds vote of the whole convention.

Mr. Oldfather: It seems to me that answers any question about the criteria being in the Bylaws.

Frank Lindeburg (University of California, Riverside): I am chairman of the College Division, but I am speaking for myself. I urge the parliamentarian and the Council to reconsider Item 9 (e). They added the word "immediate." I suggest that they take that out and use the normal parliamentarian rules so a reconsideration can be made at any time during the conference. I think this is logical. It might be a little bit inappropriate or inconvenient at the time but placing the word "immediate" in there leaves it up to the discretion of the President to disregard a person who might want the microphone. Another piece of legislation could be immediately proposed, and we would be stuck with it for one year. It would not enable individuals to caucus or get together if a piece of legislation were to be passed immediately. I believe we should be able to reconsider as Robert's Rules of Order allow us to do at any time during the Convention.

Chairman Koenig: The Council will take due note of your suggestion.

Mr. Smith: May I interject one point Frank may be overlooking? Any legislation that would be proposed would be proposed with the usual 60-day notice. There would be ample time to caucus in advance, and you would not be caught with something that came up on short notice.

Max Servies (Wabash College): I would like to ask one question concerning No. 5, Section 2 (a). I am concerned with this, especially in view of the fact that if this should be amended concerning basketball. Why shouldn't an institution stay in Division III and be able to move into Division II in one sport, rather than all the way from Division III to Division I in a given sport which any similar conferences might be running, especially those conferences which have membership in two or three divisions?

Mr. Sherman: I don't know whether I can answer that question or not. The Committee deliberated for hours and hours on various plans, any place from declaring a division in any sport. You might have ended up being in ten different divisions.

They felt they should make it as simple as possible, and the fairest way to do it would be for them to move up in one sport. If they want

to go they have to go all the way. It was to avoid confusion more than anything else.

Chairman Koenig: We will assume that the Committee agrees with that answer.

We hope that we have answered your questions. There may be a few we don't have. We appreciate your attendance, we appreciate the very dedicated interest you have shown by being here.

[The Round Table adjourned.]

DISCUSSION ON PROPOSED CONGRESSIONAL LEGISLATION

Monday Morning, August 6, 1973

Chairman Koenig: I am going to ask the President to introduce the next topic.

President Chapman: I thought I might give you a brief thumbnail sketch and ask Bob James, chairman of the National Policy Board which is a group that coordinates the NCAA activities with the Junior College Association and the high school activities in regard to Congressional matters.

All of the Congress, both Houses, are seemingly upset over the results from the last Olympics and the occasional flareups between the NCAA and the AAU. As a result, several bills have appeared in an attempt to cure some of the problems.

In the Senate there has been a bill introduced by Senator Tunney dealing with the restructuring of the Olympic Committee, a bill by Senator Pearson to reorganize the way in which international franchises are granted, a bill by Senator Cook having to do with athletic facilities and development, and another bill by Senator Gravel.

The Senate has held hearings on all of these bills and recently decided to put these four together in what has now been called the Omnibus Bill. I would say they have taken what might be judged as the worst provisions of the four bills and combined them.

At the same time in the House there has been introduced the so-called O'Hara Bill which attempts to do some of the same things and is stuck somewhere in Committee. Just recently Congressman Wright of Texas, Congressman Teague of Texas, Congressman Sisk of California and Congressman Devine of Ohio have introduced yet another bill which we think is quite good from our point of view.

I am going to ask Bob James to try to describe the details behind these various problems.

Robert James (Atlantic Coast Conference): In proposing the legislation that the President just described, the Senate-Congress Committee, identified several goals for the legislation: the revitalization of the Olympic Committee and the method of its operation, an end of the power struggle between the National Collegiate Athletic Association and the Amateur Athletic Union, thorough involvement in amateur sports to the extent needed to protect the individual athlete from overbearing sports organizations and the creation of a development program so that a greater number of people may be actively involved in amateur sports.

Primarily all of this developed under the guise of solving the Olympic problem, which we all would like to have resolved.

When the legislation was proposed we had an opportunity for hearing, as did the junior colleges and the high schools. We had personal

contact, and we had letters from a vast segment of this Association expressing their concern.

I cannot say that in visiting the Senators on the Committee we were treated with anything but a cordial atmosphere. They seemed to be concerned with our presentation. I think you should know precisely all we were attempting to do here and all we really ask in the legislation.

It is as follows: In response to our concern, we have proposed to the Committee, which is the Senate Commerce Committee, certain amendments which we deem necessary to protect our program.

We believe that in the Senate's desire to solve our international sports program there should be no disruption of the highly productive domestic programs which admittedly are the most successful and most respected amateur sports programs in the world.

The first of these concerns is the sheer size of the federal government's sports establishment which the package bill contemplates. Accordingly, we have proposed two amendments which would substantially reduce the size of this bureaucracy without affecting in the slightest the capacity of the bill to accomplish the reforms of United States participation in international athletics which are suggested.

The second principle concerns how the college community is affected by the bill, which is a response to the problems in the area of amateur sports at the international level, injects the Federal Government and federally chartered organizations into domestic amateur sports within the United States.

There is no apparent reason why the bill which proposes United States holders of franchises from international sports organizations should interfere with the conduct of domestic athletic programs. The authority of such organizations should properly be limited to international competition in which the national teams of two or more countries are involved. The amendments under our Category 2 would so limit.

A related problem is posed by the provision of the bill which apparently would penalize high schools and colleges for having and enforcing reasonable rules regarding athletic competition in which student-athletes are called upon to participate.

One element of the amendment of Category 2 would be to delete such provision. This would at least make it clear that high schools and colleges are not to be penalized for discharging their responsibility to regulate competition under the reasonable rules adopted to promote physical, moral and educational welfare of our student-athletes.

Unfortunately the Committee was unresponsive to our request and to our presentation; and last Friday, a bill was filed which originally was called the Omnibus Bill, but which now has a number to which you may wish to refer. It is S. 2365. Accompanying this bill was a Senate Report No. 93-380.

It might be well for us to hit some of the key points of our report; and then if you should have any questions, I hope that those who are here might respond to them.

The colleges and universities are committed to a resolution of the international sports problem which concerns the American public.

Unfortunately, I don't believe this is a well understood problem by

the Congress. I think they feel we are really not committed to this type of venture. We sincerely have made every effort in our presentation to bring to their attention that we want this problem resolved just as much as they or anybody else.

We believe all of the issues can be successfully resolved without the Federal government taking control of 30 or more amateur sports as prescribed by the Amateur Athletic Act, S. 2365, as reported by the U. S. Senate Commerce Committee under the chairmanship of Senator Warren G. Magnuson (Democrat-Washington).

The colleges and universities endorse the following principles as a means of solving the amateur sports problem:

1. Establish a government board for the short-term purpose of awarding franchises in each Olympic sport to the most qualified organization in that sport with a limit of one franchise for any organization and limits on voting control by constituents of the organization.
2. Eliminate the quota system in the selection of coaches and competitors for international competition.
3. Establish a national commission to study the problems involved in the United States' participation in the Olympics and make specific legislative recommendations for reform of the United States Olympic Committee.
4. Enact an Amateur Athletes' Bill of Rights to see that the interests of the individual athlete are the primary concern of all sports organizations.

The foregoing principles can solve the problems with the least amount of government interference over the shortest period of time necessary to effect reform. Several bills pending before the U. S. House of Representatives carry forward this type of solution.

These are the bills referred to by the President as a Congressmen Sisk, Teague, Devine and Wright Bill.

The NCAA is strongly opposed to the bill reported by the Senate Commerce Committee, under the chairmanship of Senator Magnuson, because it would:

1. Put the government in charge of United States amateur sports permanently and in an all-pervasive manner with the establishment of a new, large Federal sports bureaucracy.

Let me digress here for a moment and talk about a bureaucracy. Here we have permitted in this bill or proposed in this bill the establishment of a five-man board. Under that five-man board we have a seven-man commission to study the Olympic problem. We have 16 trustees on the Foundation. Here we find ourselves with almost 80 people right now. In addition, under the five-man board there will be two subdivisions, one for the health and safety and one for facilities. How many people would be on these staffs we don't know, and we don't have any way of telling. How high the number eventually would reach we have no way of knowing. I don't think it would be unreasonable to assume we would be approaching 100 without too much of a problem. When we talk about a thorough bureaucracy, we truly have the foundation for one established in this legislation.

2. Curtail and probably destroy, in many ways, the school-college athletic programs as they are known today by put-

ting so-called "unrestricted competition" under sanction of a government-appointed sports association and by giving to a powerful new government board, which is wholly unrelated to education, the absolute power to decide whether the school-college regulations are reasonable and properly educational in nature and in enforcement. The bill would take this power away from educational institutions and apparently would even prevent the courts from determining the reasonableness of such rules and their application.

3. Open the door to improper influences by requiring the schools and colleges to permit student-athletes to participate in virtually any domestic or international competition at any time they are requested to do so by virtually any promoter—

An example of this very well could be a track and field competition. You have a regularly scheduled program of track and field, whether it be indoor or outdoor. You have a contest scheduled for Saturday, May 12. Approximately one month before that time approval is granted for another meet. Your athlete could then elect to participate in the other competition in preference to your regularly scheduled meet; and under this legislation, you would be prohibited from penalizing him.

After the close of basketball season, if you attempt to impose any restrictions on a young man or penalize him it would fall under the provisions of this bill.

It seems to me the problem here is that the burden of proof would always be on the institution against the individual who is promoting.

—or go through an expensive, time-consuming trial before the board each time a school or college rule might be challenged. It gives virtually unlimited opportunity to individual promoters to exploit star athletes without regard to their educational welfare or without investing one cent in their development.

4. Turn back the clock by using long outdated concepts of "restricted" or as we know it closed competition or "unrestricted" or a better term, open competition, domestic competition to impose the heavy hand of government control over the vast college (and high school) athletic programs in this country—an action which is wholly unnecessary and wholly unjustified. Experience has shown that school-college programs regulating outside competition in high pressure sports are necessary for the protection of student-athletes and to maintain the integrity of the institutions' programs. Educational rules were instituted to protect student-athletes from exploitation by institutions, coaches or unscrupulous promoters and from ill-timed and ill-managed meets. The Act would disregard that experience and invite a renewal of the very problems which led to the enactment of the rules in the first place.
5. Impose on the American public broad new legislation, the scope and effect of which far exceeds the stated intent of its sponsors as explained in their public statements. His-

tory clearly shows that Federal controls lead to less individual freedom and Federal bureaus seek to expand their powers.

To say that anyone's program would be unaffected by this legislation would in my opinion be a complete misstatement of fact.

I think we have, for the first time in Congress, legislation that would solve the problem that we feel needs to be solved and Congress has set out to resolve. It is an international problem, without interfering with the greatest amateur athletic program the world knows today, the school-college program.

I would hope that from this meeting we would have sufficient concern on the part of the membership to review problems posed by this legislation, the intrusion into their problems to be effected by this legislation and our concern would be properly and forthrightly provided the Senate and Congress of the United States.

Chairman Koenig: I just want to add a comment. You have heard Bob's presentation, and there is no one in this room I suppose who would not welcome the government's keeping its hands off completely; but I think we need to underscore the fact that your officers and others have been in Washington a number of times and there is no question in our minds that the mood of the Congress is going to call for some kind of legislation. Hopefully we will tell our story, each of us, in the way you feel you are advancing the cause of your individual student-athletes; and you will direct your feelings directly to the men who are representing you in the Senate and the House of Representatives.

John W. Winkin (Colby College): I am speaking as president of the National Association of Collegiate Directors of Athletics. It so happens that during our recent convention in Denver at the end of June a great deal of action was taking place in Washington. At that time our Executive Committee, with the help of the NCAA Committee, drew up a position statement outlining the basic points that we felt were important in our opposition to the Senate Omnibus Bill. Through our Executive Committee and members of NACDA, we made this opposition known to the members of that Senate Committee.

Following the Convention our Executive Committee once again met. At that time we learned about the introduction of the House Bill, and we also indicated through our Executive Committee to the various Congressmen our support of this bill.

It seems to me perhaps now what we need to do is get to our presidents and make sure that they are aware that the NCAA and NACDA are both in concert in opposition to the Senate bill and in support of the House bill. We should encourage our presidents to voice this same kind of opposition to the Senate bill and support for the House bill.

Chairman Koenig: On that particular point, the Council has encouraged the officers to continue the educational program that is involved here; and as one step we are going to do exactly what John has suggested. You have information which we hope you will study. The president of your institution will be getting through the mail additional information. You are encouraged to get in touch with him, and he will be asked to express himself on this matter through a referendum vote.

Mickey Holmes (Missouri Valley Conference): I think it is very

important to note that we have a tremendous reprieve as we move to this period, and a very trying period in this legislation before us. Now is an exceptional time to act. Congress is on vacation. The Senators and Representatives are back in our areas. It is time for strong personal contact on the basis of how this might affect your institution, how it might affect your conference, the removal of the control within your own institution or your conference.

I think Bob's Committee and the National Policy Board, the members of the NCAA executive staff and other individuals working with these people have done an admirable job so far in presenting the position of the School-College Committee; but my feeling from my discussions with them is that some of these Congressmen are becoming a little bit conditioned to its line of talk.

At this particular point, it is time for you to study these proposals and relate this to your own situation, then voice your opinion to your own Representatives and your own Senator on how it might affect you. We have to do a little overlapping from the line talk.

In reference to the Wright Bill, the Sisk-Teague-Devine Bill, which is the same, I think it is important that we dispel the general thinking that is beginning to come into Congress that this is an NCAA bill. When you speak in terms of the NCAA with these people they don't have the concept that we have of the NCAA. They think in terms of only the executive staff of the NCAA. This is an Amateur Sports Bill; and it affects every institution, whether it be a member of the NCAA or any other institution or association equally. It is time we refer to this as an Amateur Sports Act and one we can relate to positively rather than negatively.

Chairman Koenig: In addition to contacting your Congressmen and your Senators, contact other individuals among your alumni or in your community who share your concern—the Chamber of Commerce, the high school principals, any other group that you can think of. We are confident that many people believe in the kind of programs we have, and obviously others outside our immediate circle could make a deep impression on some of our people who are representing all of us in Washington.

Max O. Schultze (University of Minnesota, Twin Cities): I would like to underscore some of the points made by the previous speaker, and particularly ask the NCAA office to provide us with more specific information. For instance in the July issue of the NCAA Nwz, the NCAA gave its position on H.R. 9170-9177, or something like that. We are supposed to talk to our presidents and the public and contact our Congressmen. We should be informed on these points, on all these questions. I would encourage the Council or the executive office to go out and give us the necessary ammunition.

President Chapman: I have two comments. Besides contacting your Congressmen and urging them to support the Wright-Sisk-Devine-Teague Bill, it would be very beneficial if they would be willing to add their names as sponsors. A growing number of sponsors will give the bill a good boost.

Before too many people drift out, there are a number of institutions whose presidents have good connections for some of your purposes, and I am going to read some of their names. If at all possible, as soon as this meeting is adjourned will you meet for ten or fifteen minutes

where we can outline several points. We would certainly appreciate it.

The institutions we would like to talk to are as follows: Tulane University, University of Michigan, Penn State University, Michigan State University, Colby College, Franklin and Marshall College, St. Louis University, North Carolina Central University, Eastern Kentucky University, Central Missouri State University, State University of New York - Buffalo, University of Arkansas, Iowa State University, State University of New York - Albany, Cornell University, Trenton State College, University of Florida, University of Tennessee, Auburn University, Rutgers University, University of Nebraska, University of Wisconsin, New York University, Stanford University, Trinity College, Colorado College, North Carolina A and T State University, Hayward State University, Plymouth State College, Chicago State College, Adams State College, Washington State University and Prairie View A and M.

These institutions have some unique connections we would like to take advantage of if you are able to meet as soon as we break for lunch.

Mr. James: Mr. Chairman, in response to Max Schultze's point, I would certainly apologize on behalf of our committee for not having more information at this time. In all of our meetings as members of the committee we were led to believe our proposed amendments were receiving serious consideration. We hoped when the bill was filed it would contain our amendments. We did not find out until last Friday, when it was actually filed, exactly what the construction of the bill was.

It certainly did not contain the provisions we had hoped it would. We had hoped to be able to come here and give you a different report from the type report we are giving you now.

Paul Dietzel (University of South Carolina): I am a member of the Football Rules Committee. There is one other item as we understand the Omnibus Bill. There is one committee which is for the welfare of the students, and one of its duties would be to examine all football equipment and determine what equipment is safe and what is not safe. This of course opens a tremendous keg of worms for lobbying in Congress to get your equipment through. Even more important, they are going to say then what equipment is not safe for use; and if you have been using that equipment, you immediately open yourself up to lawsuits on your campus. There may be some changes, but I believe that is part of the Omnibus Bill.

Mr. James: That is correct. That is one of the boards under the two divisions that are set up on health and safety standards. The betterment of facilities under health and safety standards is so broad that it can accomplish anything.

Jesse Hill (Pacific Coast Athletic Association): I think this Omnibus Bill is obnoxious in that it takes away from the school or college community the opportunity to decide what is in the best interest of our student-athletes.

I think it would be a good thing to suggest an amendment to the bill which will suggest that if they are going to establish a federal bureaucracy to tell when and where and under what conditions our athletes can compete and with what facilities and equipment and everything else, perhaps the federal government would like to sub-

sidize our athletic programs—for instance track and field.

At the present time the colleges and universities of this country are subsidizing track and field to the extent of \$8,400,000. If the government is going to take over and tell us when and what to do, let them then assume the financial responsibility of financing our athletic programs.

Edward Bennett (Washington State University): We spoke of the O'Hara Bill earlier, and I wanted to say you shouldn't focus any attention on that because it is dying today.

Mr. James: That is not correct. In the conversations we have had with the administrative assistant to Congressman Wright and also with representatives from Kentucky, the chairman of the committee is Congressman Perkins from Kentucky, I would say from our standpoint he has done an excellent job of postponing any action on the O'Hara bill. It is our understanding through the aides of these Congressmen that O'Hara has asked for an up or down vote from the committee as a whole immediately upon return to Washington after this recess. It is not dead yet.

Mr. Bennett: There are more substitute bills from the same committee, almost as many as there are committee members; and I think really the position of the committee members is that is a dead bill.

Mr. James: The Wright Bill and the Dellenback Bill are there, that is true; but there is nevertheless still the threat of the O'Hara Bill. It could come up, and Mr. O'Hara has a tremendous number of friends.

Chairman Keenig: I just checked with our Washington representative, and the O'Hara Bill is very much alive. I think we have it stopped, but it does have a possibility of coming out again.

Edward Steitz (Springfield College): I want to commend Bob James and the legal counsel of the NCAA. I was "privileged" to attend the Senate Committee hearings on the O'Hara Bill, and I commend them on the job they have done in representing the NCAA and our institutions.

I want to go back to the real seriousness of what Bob has presented on this situation. It is something you have to focus on immediately, and with that in mind I would be hopeful that the Council would come in with a resolution that we are unalterably opposed to an Association to the Omnibus Bill, and by the same token include our support of the Wright Bill.

I think this would be meaningful and helpful. I don't want to minimize Mickey's point of all of us going back to our institutions and relating this to our own individual institution, but I think this would give us a double approach.

I would like to suggest the Council consider drawing up a resolution for the Association to act on later on in the convention.

Cliff Speegle (Southwest Athletic Conference): I know everybody here feels that this is not going to affect him in any way. I believe that 90 per cent of the institutions represented here receive some type of government aid, and through the government aid — HEW and all the other bureaucracies — your sports program will be controlled, politically.

Fred Miller (Arizona State University): I would like to make a point. I don't really believe it is necessary to polarize our position here. I know we approach the Arizona Congressional delegation on

just any case if there is a reasonable position to support our bill. I think we have to polarize and make a tremendous issue out of this NCAA bill because it is an individual bill that will really get us out of this trap.

Tom Warner (Butler University): Along with what the previous speaker just said, I don't think it has been emphasized quite enough that this bill affects the high schools right along with us. The high schools are deathly afraid of this thing, too. I think many of us should talk to our high school boards of control and state commissioners and enlist their aid. I know they are quite interested in the same thing. The High School Federation is interested, but we should coordinate our efforts with the high schools, too.

Mr. James: Before we forget, it might be well to have the numbers of the bills. Congressman Wright's bill is HR 9171. That is Congressman Wright and Congressman Sisk. Congressman Teague's Bill is H.R. 9177, Congressman Devine's Bill is H.R. 9150.

Chairman Koenig: We are going to adjourn the Round Table, and we are going to be called to order promptly at 2 p.m. With that, we stand adjourned.

[The Round Table session adjourned at 11:45 a.m.]

BUSINESS SESSION

Monday Afternoon, August 6, 1973

The Business Session convened in the Rosemont Room President Chapman presiding.

1. OPENING REMARKS AND EXPLANATION OF VOTING PROCEDURES

President Chapman: The meeting will come to order. I will ask you to note that all Proposals will become effective immediately.

We will proceed to go straight through the agenda.

As you all know, the white badges indicate the voting delegates; the blue badges, alternates. Each institution or allied member has been supplied with one voting paddle. The method of voting that may be used depends on the circumstances—voice voting, paddle voting, roll call voting.

The Constitutional provisions require two-thirds majority. Bylaw provisions require a simple majority. The counting during any ballot which requires counting will be taken care of by the Balloting Committee, which is under the chairmanship of Boyd McWhorter. There are members of the Committee who will count each section in the

MINUTE

William Davis (Idaho State University): I would like to request a ruling from the Chair. I refer specifically to Amendment Proposals No. 5 and No. 6 which are being considered. Since this does have a great bearing on our institution, other institutions in the Big Sky Conference and other people I have talked to—in terms of the classification and the opportunity to participate in Division I in basketball while being in Division II in football—I think it does have a bearing on the consideration of this total proposal. Proposal No. 6 is a proposed amendment that has been presented by the University of Puget Sound and Bucknell University not to existing Bylaws but simply a proposal.

In parliamentary procedure I think it would be in order to consider this prior to considering the decision to divide the Constitution into specific Bylaws.

President Chapman: I discussed this item with the parliamentarian during the lunch hour. Our feeling is, first, that Item 6 cannot be acted on until Item 5 is on the floor, since Item 6 amends Item 5. Further, it is the ruling of the Chair that since Item 5 deals with membership divisions, we are not in position to be able to vote on that item until divisions are possible. This means that we at least have to get Constitutional Provisions 1, 2 and 3 enacted prior to consideration of the other items. Then motion to alter the order of business is in order.

Mr. Davis: Well, I submit again that this is merely a proposal. It is not a Bylaw at the present time, and how this proposal is submitted could very well have a bearing on how the institutions vote on the

proposed constitutional revisions that create the divisions themselves. Therefore, it does have precedence because it has important bearing on whether or not we decide on Items 1, 2 and 3; and they precede this. I appeal the ruling of the Chair.

[The motion was seconded.]

President Chapman: Hearing no discussion on the motion, the motion is that the ruling of the Chair be sustained. A positive vote would be to sustain the ruling of the chair, and a negative vote would be to overturn the ruling of the Chair.

[The Chair was sustained by voice vote.]

2. PROPOSED AMENDMENTS

Membership Divisions

J. Neils Thompson (University of Texas): On behalf of the Council I should like to move the adoption of the amendment to the Constitution as outlined and put in detail in Proposal No. 1.

[The motion was seconded.]

I think the discussion this morning was quite extensive on the total matter. For that reason I do not want to delay any further.

President Chapman: I will call for paddle votes on Constitutional amendments requiring two-thirds majority.

[Proposal No. 1 (page A-1) was approved 366-13.]

Divided Voting

Ross Smith (Massachusetts Institute of Technology): I move the adoption of Proposal No. 2 to amend the Constitution, Article 6, Section 1-(a).

[The motion was seconded.]

This is simply enabling legislation.

President Chapman: With your permission I am going to try to highball this two-thirds vote.

[Proposal No. 2 (page A-1) was approved by a show of paddles.]

Quorum

Ernest Casale (Temple University): I move the adoption of Proposal No. 3.

[The motion was seconded.]

[Proposal No. 3 (page A-1) was approved by a show of paddles.]

Eligibility for NCAA Championships

John Fuzak (Michigan State University): I move the amendment of Article 4, Section 6-(a), as indicated in Item 4.

[The motion was seconded.]

[Proposal No. 4 (page A-2) was approved by voice vote.]

Membership Divisions

Louis Myers (University of Arizona): I move the adoption of Proposal No. 5, which adds a new Bylaw 10.

[The motion was seconded.]

President Chapman: Item 5 is now before you. There are two proposed amendments to Article 5. Now is the appropriate time to amend Item 5, if the movers of Item 6 are so disposed.

Membership Divisions

Robert Latour (Bucknell University): I move to amend Proposal No. 5 by Item No. 6.

[The motion was seconded.]

Bucknell University is not sure if it will be in Division I or II. After the meeting is over, we feel this proposal if passed will give us the opportunity to have a greater choice in making our decision; and that is the reason for our proposing this amendment to the amendment.

Mr. Myers: I am speaking on behalf of the Special Committee on Reorganization in opposition to Proposal No. 6.

Basketball is a sport in Division I level that provides an opportunity for recognition and the attainment of considerable revenue. If you declare your desire to get into Division I basketball the Committee feels you have philosophically committed yourself to Division I. There are many institutions who commit their resources to Division I level of competition for their entire program. Their point of view is that this commitment is helping and should be encouraged as a commitment of intercollegiate athletics on the part of Division I members.

Further, members who see their programs as being entirely in Division II or Division III are not enthusiastic about having members who are powerful in Division I basketball enjoying those benefits and coming back to II or III for other sports.

The intent of the Reorganization Plan was to place, insofar as possible in divisions, schools with similar philosophies for legislation and companionship. It does not dictate, however, scheduling or policy for regular student activities.

The Committee urges you to defeat Proposal No. 6.

John Roning (Big Sky Conference): It is the wish of Big Sky Conference that we adopt Bylaw No. 6 and remove the words "or basketball." We have had good competition in basketball, and we feel we should have the opportunity to compete at least in one of the two major sports, football or basketball. It is our wish that the delegation here give not only our schools but other schools in the United States the opportunity to compete in Division I in basketball.

[Proposal No. 6 (page A-4) was defeated 172-192.]

Membership Divisions

Henry Lowe (University of Missouri, Columbia): I will move we amend Proposal No. 5 as specified in Item 7.

[The motion was seconded.]

This amendment is proposed in an effort to further the expressed intentions that I gleaned from this morning's discussion. As I understand it, in allocating this group into three divisions, one of the fundamental purposes is to have natural groups voting as groups.

To further that objective the proposed amendment reduces from five years to two years the time in which a member would comply after adoption of the membership criteria.

I would point out that the original selection of membership will be a very important step for every member school; and if natural grouping is to be obtained, we believe that the two-year period is a very reasonable period in which it can be achieved.

We do suggest there is some ambiguity in terms of membership criteria. We believe what is meant by membership criteria are items, specifically the number of sports the schools sponsor and schedule that the school carries, particularly in its major sports programs.

[Proposal No. 7 (page A-4) was defeated 139-226.]

Mr. Myers: In the light of this morning's Round Table, I should like to make the following clarifications.

Would you, first of all, refer to No. 5, Section 1-(c)? The intent of the Council, as pointed out this morning, was that the criteria should be a Bylaw provision. Therefore, the Council decided that the following phrase should be added in paragraph (c): In the first line, right after the word "may" — "by appropriate Bylaw."

In Section 3, paragraph (b) reference is made to Bylaw 6-4-(b). That is the Bylaw in Proposal 8 that permits institutions in all three divisions to enter the national championships in the six sports listed in that paragraph.

The provision herein, Section 3 (b) provides that if institutions in Divisions II and III enter the National Collegiate Championships in those six sports, they must meet the criteria of Division I.

The Council has approved an interpretation that will permit for the next three years institutions in Divisions II and III to compete in the National Collegiate Championships in these six sports by meeting their divisional requirements.

I believe that was indicated this morning, but I thought it would be best to review that again.

Max Schultze (University of Minnesota, Twin Cities): I would like to have a clarification on this. Would these three years to which you have referred pertain to now, or do they pertain to any period subsequent to a member's changing its division? Suppose two years from now a member who started in Division I, drops to Division II.

Mr. Myers: This interpretation was made for the interim, and the two years begins as of the date of adoption.

President Chapman: The three-year period was chosen because that is the time the programs begin for the new championship.

[Proposal No. 5 (page A-2) was approved by voice vote.]

NCAA Championship Meets and Tournaments

J. William Orig [Indiana University]: I call the attention of the Convention to Item No. 8 to amend Article 6 of the Bylaws. I move the adoption of this proposed amendment.

[The motion was seconded.]

[Proposal No. 8 (page A-4) was approved by voice vote.]

Voting and Amendments

J. Neils Thompson (University of Texas): On behalf of the Council, I should like to move the adoption of Proposal No. 9.

[The motion was seconded.]

I would like to make several editorial comments in this respect that resulted from the discussion this morning.

I indicated to you this morning that we would insert editorially "immediate" in (e) prior to "review." This will be dropped.

The Council has adopted a policy and an interpretation that is in keeping with this review. The review can be made at the same or a subsequent convention under normal parliamentary convention procedures.

Voting and Amendments

Robert James (Atlantic Coast Conference): I move the adoption of Proposal 10 to amend Proposal 9.

[The motion was seconded.]

Surely one of the most compelling reasons for reorganization is to place member institutions in divisions which properly reflect the

scope and support of their programs. To then place obstacles in their path, to deny such divisions the right to enact legislation that they deem so vitally necessary for the conduct of their programs, is unfair in our opinion.

It is conceivable under the present legislation that a division could attend an NCAA meeting, discuss, and elect to support legislation and answer the concerns of that division, for a one or a two day period and then have such legislation rescinded by a two-thirds vote of others and let things be in a void for a period of one year.

This is particularly sensitive, as you learned this morning, in the establishment of criteria. The Committee on Reorganization, as I understand it, duly studied this problem and recommended to the Council the Bylaws. Each division may adopt Bylaws not inconsistent with the provisions of the Constitution without approval of any other division. In effect we support the position of the Committee on Reorganization, and solicit support of Proposal No. 10.

C. D. Henry (Grambling College): I am speaking as an individual in representing our conference instead of the Reorganization Committee inasmuch as I was on the Committee. But I am speaking against the proposal. I think I can speak for the other state schools in Louisiana on our level, all those except L.S.U., who face the same kind of restrictions we do.

We feel that we should support Proposition 9 with paragraph (e), where we would have a chance to review the legislation. We feel that it will involve scholarship, and some people in an effort to keep up with the Joneses will price themselves out of competition. We also feel that if one division can appreciably raise the scholarship limit, they not only will get all the blue chippers but most of the purple ones. [Laughter]

Although we are certainly content at Grambling to stay in Division II, we would like a chance to review action, so I urge defeat of Proposal No. 10.

David Nelson (University of Delaware): I think I would like to start reorganization with the idea we are pacing each other. I think this can be done. Perhaps this legislation may be a little premature. I think if each division is given the opportunity to run its own house, it is going to be able to do this.

Secondly, if there is any objection to the legislation of the Bylaws on any particular passage, a simple proposition is to enact the legislation we have here. For example, if in January — this January or next January — any division has legislation that two-thirds of the organization does not like this can be enacted at that time.

I would like to start with the idea that when we have legislation we can consider all features together and be concerned with the other divisions. In that way we can start the reorganization with appreciation of each other's problems.

William Bell (Central Intercollegiate Athletic Association): I am speaking in the interest of all predominantly black colleges in our area, especially in Division III.

We must keep a very strong and viable NCAA. A strong administrative umbrella is absolutely necessary, and I rise to support Section 9 (e). This is our only hope for continued unity. Without it, I can see disintegration of the NCAA, something that none of us wants.

Certainly the majority of us do not want it.

I have worked with this organization for over a generation, and I can see virtually all the predominantly black institutions' athletic programs disintegrating if we do not keep this paragraph. As you know, most of the black institutions will want to come into Division II. Now without a good, strong administrative umbrella we are going to see all of the strong black athletes of the nation naturally go to schools that have stronger programs. That is not what we are looking for at all. We are trying to keep a balance here. I am sure it is the intention of the Council to keep a balance and to keep a workable organization.

It is all right certainly for each division to make its own rules and regulations; but when we make them so other divisions will be starved out, we are in trouble.

Stan Marshall (South Dakota State University): I rise to oppose the adoption of the amendment for many of the reasons cited by Mr. Bell. I feel that we will eliminate ourselves as an association if we eliminate this two-thirds override possibility, and we will in fact become three separate associations in a federation relationship. I don't believe we want that.

I believe this provision provides protection possibilities that are not only good for Divisions II and III but are equally valuable to Division I.

[Proposal No. 10 (page A-7) was defeated by voice vote.]

Earl Embree (Morgan State College): This is a question of an editorial change. I don't believe I heard the editorial change for (d). There was a question this morning of removing "only."

Mr. Thompson: That is correct. The word "only" will be put in front of "members" and removed from somewhere down there, after "applicable." I overlooked that.

Edward Malan (Pomona-Pitzer Colleges): I wonder if that is exactly what really is wanted. It seems to me what we are talking about is that Division I may submit legislation applicable to Division I football not all football. Am I not correct?

You add "Division I" in front of the last word in that sentence.

President Chapman: And only they can make such change. You should stick the words "Division I" in front of "football." That is quite correct.

Robert Ray (University of Iowa): I have a question that goes to this editorial change. Is the thrust of the editorial change to provide that these proposed legislative acts in which only Division I members may vote, if approved by Division I are not subject to the two-thirds vote of the convention?

President Chapman: No. They are subject to it. This distinguishes pure Division I from Division I football. Division I can adopt such rules for Division I football only. Everyone in Division I is not in Division I football.

[Proposal No. 9 (page A-7) was approved by voice vote.]

Council

Robert Pritchard (Worcester Polytechnic Institute): I move the adoption of the amendment to the Constitution, Article 5, Section 1 (a).

[The motion was seconded.]

Council

Bob Latour (Bucknell University): I am representing the Middle Atlantic Conference at present. I would like to move to amend the proposed Amendment 11.

[The motion was seconded.]

President Chapman: It is moved and seconded that Item 12 be adopted to amend Item 11 as a Constitutional provision. For Item 12 to amend Item 11, we require a simple majority.

Mr. Latour: If I may repeat my comments this morning, as an editorial change in the intent, the objective is to eliminate the word "equal" and replace it with the words "more reasonable." I believe that is self-explanatory.

The institutions represented in the Middle Atlantic Conference feel that Divisions II and III should be represented, as we stated in this amendment proposal.

President Chapman: That is quite correct, and the staff and the Council will so change that intent according to your request.

Incidentally, there is a typographical error in Item 12. In (a)-(1), at the end of the line there should be also the same words that are at the top of the page: "and they may be elected from any division."

In other words, it makes Proposal 12 identical to Proposal 11, except for the change of six to eight and fourteen to sixteen and three to four.

Frank Lindeburg (University of California, Riverside): I speak as chairman of the College Committee. On July 5 the College Committee sent a memorandum to each of the College Division member institutions. I would like to clarify our position in this case.

There is no doubt that our Committee was unanimous on reorganization. I would like to say in representation on the Council, versus the 8-3-3 or any other method of constituting the Council, our Committee was split four to three. The four was in favor of 8-3-3. This is a weak stand, and I would point out to this group, so everybody will be conscious of the College Committee's action.

Ross Smith (Massachusetts Institute of Technology): I would like to speak on behalf of the Committee on Reorganization. I don't want to repeat all I said this morning.

There was indeed at both meetings, in February and in April, a lot of soul-searching, a lot of discussion on just what was adequate representation to assure a voice for all three divisions.

One factor, a minor factor, was the size of the Council, two additional members not necessarily being a burden. However, we did settle on the 8-3-3.

The Committee was representative, we felt, of the entire membership, and further there was evidence to all of us who had worked hard and long that the Council has and would continue to exercise very good judgment, regardless of the particular hat worn by each member of the Council. I can only cite as evidence of that, this interpretation that was made today to assure Division III schools that they would not be pre-empted out of the six sports championships during the phasing period.

Edward Steitz (Springfield College): When I look at the 8-3-3 it reminds me of another organization in which I was involved for about 10 years where you automatically had to go to majority vote, regard-

less of whether you were right or wrong.

I speak in favor of Proposition No. 12 because I think it represents fairness. Rather than the 8-3-3, in my opinion the 8-4-4 is more reasonable. I would hate to see any one division have the automatically built-in majority vote so that the other two divisions could not offset that vote at any time.

Ray Whispell (Muhlenberg College): I think it is very, very important that it be completely understood what is meant by "more reasonable." It really doesn't matter what Divisions II and III think on this issue. What does matter is what Division I thinks. It is the opinion of the Middle Atlantic Conference that they mean that wherein Division I has one representative for every 24 member institutions; Division II has one representative for every 74 institutions. This isn't really very reasonable.

I think if Division I would consider the possibility of supporting this on the ground that it would mean Division II and Division III would have one representative on Council for every 54 member institutions.

[Proposal No. 12 (page A-8) was approved by voice vote.]

[Proposal No. 11 (page A-8) was approved as amended by Proposal No. 12 by a show of paddles.]

Executive Committee

Howard Gentry (Tennessee State University): Mr. Chairman, on behalf of the Council, I move the adoption of Item 13.

[The motion was seconded.]

[Proposal No. 13 (page A-9) was approved by a show of paddles.]

Committee Representation

Walter L. Hass (University of Chicago): I call your attention to No. 14, Bylaws, amending Article 8. I move its adoption.

[The motion was seconded.]

[Proposal No. 14 (page A-9) was approved by voice vote.]

President Chapman: This concludes our agenda. I want to thank you gentlemen for coming to this Special Convention and for your time.

The Council will meet at 8 a.m.

This meeting stands adjourned.

[The Special Convention adjourned at 3:15 p.m.]

Appendix A

1st SPECIAL CONVENTION

LEGISLATIVE PROPOSALS

[Note: In the following proposals, those letters and words which appear in *italics* are to be deleted and those letters and words which appear in **bold face** are to be added. All proposals shall become effective immediately, unless otherwise indicated. All page numbers listed refer to the corresponding pages in the 1973-74 NCAA Manual.]

Editorial changes suggested in the proceedings have been completed in this Appendix.

MEMBERSHIP DIVISIONS

No. 1. Constitution: Amend Article 4, Section 3, page 19, as follows:

"Section 3. **Classes and Divisions of Membership.** Membership shall be of the following classes: **active, allied, associate and affiliated.** The Bylaws may prescribe the procedure whereby the **active and allied membership of the Association may be divided into divisions for purposes of Bylaw legislation and competition in NCAA championship meets and tournaments.**"

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To confirm authority for the present competitive divisions and provide for legislative divisions within the membership of the Association.

Action: Approved 366-13.

DIVIDED VOTING

No. 2. Constitution: Amend Article 6, Section 1-(a), page 26, as follows:

"Section 1. Bylaws. (a) The Association may at any annual or special Convention adopt or amend any Bylaws not inconsistent with the provisions of the Constitution by a majority vote of the members present and voting, except where a greater majority may be required by the Bylaws. **Bylaws may be adopted or amended by vote of a membership division within the Association as prescribed by the Bylaws.**"

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To provide for legislative divisions within the Association.

Action: Approved by a show of paddles.

QUORUM

No. 3. Constitution: Amend Article 5, Section 6-(c), page 25, as follows:

"(c) One hundred **active and allied members represented as prescribed in this Constitution shall constitute a quorum for the transaction of business of the Association. For purposes of voting by membership divisions as prescribed by the Bylaws, forty members of each division shall constitute a quorum.**"

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To define a quorum for Bylaw voting by divisions and to include allied members in the minimum requirements.

Action: Approved by a show of paddles.

ELIGIBILITY FOR NCAA CHAMPIONSHIPS

No. 4. Bylaws: Amend Article 4, Section 6-(a), page 55, as follows:

"Section 6. Institutional Eligibility. The NCAA sponsors thirty national championships of which seventeen are National Collegiate Championships, and thirteen are National College Division Championships twelve are National Collegiate Division II Championships and one is a National Collegiate Division III Championship. (The listing of NCAA meets and tournaments is contained in Bylaw 6, pages 61-62.) To be eligible to enter a team or individual in NCAA championship competition, an institution must be an active member in good standing and be eligible under the rules of the intercollegiate athletic conference of which it is a member, provided the conference is an allied member of the Association.

"(a) A member institution, through the process of institutional self-determination, shall designate its athletic program in accordance with Bylaw 10 as either University or College Division Division I, Division II or Division III for competition in those sports in which the NCAA sponsors a national championship in each more than one division. In the sport of football, institutions which are not classified as Major shall be eligible for the College Division Championships."

[Delete subparagraphs (1) and (2).]

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To require member institutions to designate their athletic program in one of the three divisions.

Action: Approved by voice vote.

MEMBERSHIP DIVISIONS

No. 5. Bylaws: Add a new Bylaw 10, page 78, as follows:

"Section 1. Determination of Divisions. Each member institution, through the process of institutional self-determination, shall designate its athletic program as Division I, Division II or Division III except in the sport of football. A member institution may not elect a division of a higher number than the division in which its football team is classified.

"(a) In the sport of football, those institutions which are classified Major by the Football Statistics and Classification Committee as of August 1, 1973, shall be in Division I. All other institutions which sponsor intercollegiate football shall be in Division II or Division III for purposes of that sport and their classification shall be in accordance with the classification of the College Football Committee as of August 1, 1973.

"(b) An institution which is a member of Division II or Division III may elect to participate in Division I in one sport, other than football or basketball. If the request is approved by the Council, the institution must continue to be a member of Division I in that sport for a minimum of three years.

"(c) The members of each division may, by appropriate Bylaw, establish criteria for membership in that division, following which each institution in that division shall have five years from the date of adoption to conform to the requirements. If, after five years, an institution has not conformed to the criteria of its division, the Council shall re-assign the institution to a division for which it qualifies, or if it does not qualify for any division, the institution shall be reclassified as an associate member.

"Section 2. Change of Division. A change in division may be accomplished by petitioning the Council. An institution desiring to change its division must notify the Association's executive director in writing not later than June 1. If the Council determines that a member has met all applicable criteria (if any) of the division to which it intends to transfer, the member shall be transferred to the new division, effective the September 1 following submission of the petition.

"(a) An institution which is a member of Division II or Division III may elect to participate in Division I in one sport, other than football or basketball, in accordance with Section 1-(b). The institution shall notify the Association's executive director in writing not later than June 1. If the Council determines that a member has met all applicable criteria of Division I as they pertain to the sport in question, the member shall be eligible for said sport in Division I effective the September 1 following submission of the petition. The institution must continue to be a member of Division I in that sport for a minimum of three years.

"Section 3. Applicable Legislation. A member institution shall observe the applicable legislation and requirements of the division in which it has designated its membership, except that if it is eligible to enter teams or individuals in championship competition in another division, it shall apply the rules of the other division which govern the sport in question.

"(a) Student-athletes from members of Division II or Division III who qualify to compete in the National Collegiate Championships under the provisions of Bylaw 6-4-(d) and the Executive Regulations shall meet all academic standards and eligibility requirements of Division I including academic standards for initial participation.

"(b) A member institution desiring to enter a team or a student-athlete in a National Collegiate Championship in accordance with the provisions of Bylaw 6-4-(a) or Bylaw 6-4-(b) shall meet all institutional and individual eligibility requirements of Division I for the sport in question including academic standards for initial participation.

"(c) An institution which holds membership in Division III shall be eligible to compete in the Division II Championships in those sports for which no meet or tournament is conducted for Division III, provided it meets all institutional and individual eligibility requirements of Division II for the sport in question including academic standards for initial participation."

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To establish three legislative and competitive divisions; to exempt football from self-determination; to provide for change

of division and requirements for changing, and to specify legislation applicable to each member institution.

Action: Approved by voice vote.

MEMBERSHIP DIVISIONS

No. 6. Bylaws: Amend Proposal No. 5, as follows:

"Section 1. Determination of Divisions.

"(b) An institution which is a member of Division II or Division III may elect to participate in Division I in one sport, other than football, or basketball. If the request is approved by the Council, the institution must continue to be a member of Division I in that sport for a minimum of three years.

"Section 2. Change of Division.

"(a) An institution which is a member of Division II or Division III may elect to participate in Division I in one sport, other than football, or basketball, in accordance with Section 1-(b). The institution shall notify the Association's executive director in writing not later than June 1. If the Council determines that a member has met all applicable criteria of Division I as they pertain to the sport in question, the member shall be eligible for said sport in Division I effective the September 1 following submission of the petition. The institution must continue to be a member of Division I in that sport for a minimum of three years."

Source: University of Puget Sound; Bucknell University.

Intent: To permit an institution in Division II or Division III to participate in Division I in the sport of basketball.

Action: Defeated 172-192.

MEMBERSHIP DIVISIONS

No. 7. Bylaws: Amend Proposal No. 5, as follows:

"Section 1. Determination of Divisions.

"(c) The members of each division may establish criteria for membership in that division, following which each institution in that division shall have *five two* years from the date of adoption to conform to the requirements. If, after *five two* years, an institution has not conformed to the criteria of its division, the Council shall re-assign the institution to a division for which it qualifies or, if it does not qualify for any division, the institution shall be reclassified as an associate member."

Source: Atlantic Coast Conference, Big Eight Conference, Florida State University, Pennsylvania State University, Southern Conference, University of South Carolina, Western Athletic Conference.

Intent: To reduce the number of years each member may have to conform to the criteria established for its division.

Action: Defeated 139-226.

NCAA CHAMPIONSHIP MEETS AND TOURNAMENTS

No. 8. Bylaws: Amend Article 6, pages 61-62, as follows:

"Section 1. National Collegiate Championships. All active member institutions in good standing which have designated Division I in accordance with the provisions of Bylaw 10 shall be eligible for the following meets and tournaments established under the auspices of the Association:

"The National Collegiate Baseball Championship
"The National Collegiate Basketball Championship
"The National Collegiate Cross Country Championships
"The National Collegiate Fencing Championships
"The National Collegiate Golf Championships
"The National Collegiate Gymnastics Championships
"The National Collegiate Ice Hockey Championship
"The National Collegiate Lacrosse Championship
"The National Collegiate Skiing Championships
"The National Collegiate Soccer Championship
"The National Collegiate Swimming Championships
"The National Collegiate Tennis Championships
"The National Collegiate Indoor Track Championships
"The National Collegiate Outdoor Track Championships
"The National Collegiate Volleyball Championship
"The National Collegiate Water Polo Championship
"The National Collegiate Wrestling Championships
[Delete first paragraph of Section 2.]

"Section 3 2. College Division National Collegiate Division II Championships. Only active members in good standing which have designated College Division II in accordance with the provisions of Bylaw 4-6-(a) Bylaw 10 shall be eligible for the following meets and tournaments established under the auspices of the Association:

"The National College Collegiate Division II Baseball Championship
"The National College Collegiate Division II Basketball Championship
"The National College Collegiate Division II Cross Country Championships
"The National College Collegiate Division I II Football Championship
"The National College Collegiate Division II Golf Championships
"The National College Collegiate Division II Gymnastics Championships
"The National College Collegiate Division II Lacrosse Championship
"The National College Collegiate Division II Soccer Championship
"The National College Collegiate Division II Swimming Championships
"The National College Collegiate Division II Tennis Championships
"The National College Collegiate Division II Outdoor Track Championships
"The National College Collegiate Division II Wrestling Championships

"Section 3. National Collegiate Division III Championships. Only active members in good standing which have designated

Division III in accordance with the provisions of Bylaw 10 shall be eligible for the following meets and tournaments established under the auspices of the Association:

- "The National Collegiate Division III Baseball Championship (Effective 5/1/76)
- "The National Collegiate Division III Basketball Championship (Effective 3/1/75)
- "The National Collegiate Division III Cross Country Championships (Effective 11/1/73)
- "The National College Collegiate Division II III Football Championship
- "The National Collegiate Division III Golf Championships (Effective 6/1/75)
- "The National Collegiate Division III Soccer Championship (Effective 11/1/74)
- "The National Collegiate Division III Swimming Championships (Effective 3/1/76)
- "The National Collegiate Division III Tennis Championships (Effective 6/1/76)
- "The National Collegiate Division III Outdoor Track Championships (Effective 6/1/74)
- "The National Collegiate Division III Wrestling Championships (Effective 3/1/74)"

"Section 4. Inter-Divisional Eligibility. The following shall apply to institutions which may be eligible to enter teams or individuals in championship competition in more than one division.

"(a) Active member institutions in good standing of Division II or Division III which have designated Division I for one sport in accordance with the provisions of Bylaw 10-1-(b) shall be eligible to compete in the National Collegiate Championship so designated.

"(b) All active member institutions in good standing, regardless of their choice of division under Bylaw 10, shall be eligible for the National Collegiate Championships in the sports of fencing, ice hockey, skiing, indoor track, volleyball and water polo since NCAA meets and tournaments are not sponsored in these sports for Division II or Division III.

"(c) Active member institutions which hold membership in Division III shall be eligible to compete in the Division II Championships in those sports for which no meet or tournament is conducted in Division III.

"(d) The Executive Regulations shall specify the number of individual student-athletes in College Division II and Division III Championships who may qualify for the National Collegiate Championships in the sports of cross country, golf, gymnastics, swimming, tennis, outdoor track and wrestling."

[Renumber present Section 4 as Section 5.]

Source: NCAA Council (Special Committee on Reorganization-1973; Executive Committee).

Intent: To establish championships for Division III members with effective dates as indicated, and to establish provisions for inter-divisional eligibility.

Action: Approved by voice vote.

VOTING AND AMENDMENTS

No. 9. Bylaws: Amend Article 9, Section 1, page 77, by adding new paragraphs (a) through (g), as follows:

"(a) Each division of the Association may at any Convention, by a majority vote of the members of such division present and voting, adopt or amend any Bylaw not inconsistent with the provisions of the Constitution. Such legislation shall apply only to the members of the division which adopts it.

"(b) Each division shall be responsible for determining the NCAA championships to be established for it under the auspices of the Association in those sports recognized by the Association.

"(c) All legislation of the Association shall be adopted with the three divisions meeting in joint session at the Convention.

"(d) Only members of Division I which sponsor intercollegiate football classified as Division I may submit legislation applicable to Division I football. Such legislation shall be subject to vote only by members classified Division I in football and, if adopted, shall be applicable only to such members.

"(e) A bylaw provision adopted by any division shall be subject to review by the Association in convention assembled and may be rescinded by a two-thirds vote of the delegates present and voting.

"(f) An institution which is a member of a different division than its football classification shall vote on amendments pertaining to football in the division in which its football team is classified.

"(g) An allied member shall be entitled to vote in the division in which at least fifty per cent of its institutions hold membership. In the event that an allied member's constituency is evenly divided between two divisions; or its membership is divided among three divisions without fifty per cent in any division, then it may submit its application for divisional membership to the Council and the Council's decision shall be final."

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To establish procedures for divisional voting; effective September 1, 1973.

Action: Approved by voice vote.

VOTING AND AMENDMENTS

No. 10. Bylaws: Amend Proposal No. 9, as follows:

"(e) A bylaw provision adopted by any division shall be subject to review by the Association in convention assembled and may be rescinded by a two-thirds vote of the delegates present and voting."

[Paragraphs (a), (b), (c), (d), (f) and (g) remain unchanged.]

Source: Atlantic Coast Conference.

Intent: To delete the paragraph indicated and restrict to the Constitution legislation which is subject to vote of the full membership; effective September 1, 1973.

Action: Defeated by voice vote.

COUNCIL

No. 11. Constitution: Amend Article 5, Section 1-(a), page 22, as follows:

"(a) The Council shall be constituted as follows:

"(1) The President and Secretary-Treasurer shall be ex officio members, and shall be chairman and secretary, respectively, of the Council, and they may be elected from any division.

"(2) Nine Eight members of the Council shall consist of the eight district vice-presidents of this Association, and a vice-president-at-large.

"(3) Seven members-at-large Six vice-presidents-at-large shall be elected by the Association at the annual Convention to serve for a term of three years; however, they shall not be eligible for re-election as members-at-large vice-presidents-at-large until three years have elapsed.

"(4) Among the fourteen vice-presidents, eight shall represent Division I members, three shall represent Division II members and three shall represent Division III members.

"(5) The membership of a 'playing conference,' i.e., one which conducts a regular conference schedule in football or basketball, may not be represented on the Council by more than one individual, excluding the President and Secretary-Treasurer."

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To guarantee representation on the Council to each of the three divisions; to specify that no conference shall be represented by more than one vice-president, and to reduce the membership of the Council from 18 to 16.

Action: Approved as amended by No. 12 by a show of paddles.

COUNCIL

No. 12. Constitution: Amend Proposal No. 11, as follows:

"(a) The Council shall be constituted as follows:

"(1) The President and Secretary-Treasurer shall be ex officio members, and shall be chairman and secretary, respectively, of the Council, and they may be elected from any division.

"(2) Eight members of the Council shall consist of the eight district vice-presidents of this Association.

"(3) Six Eight vice-presidents-at-large shall be elected by the Association at the annual Convention to serve for a term of three years; however, they shall not be eligible for re-election as vice-presidents-at-large until three years have elapsed.

"(4) Among the fourteen sixteen vice-presidents, eight shall represent Division I members, three four shall represent Division II members and three four shall represent Division III members.

"(5) The membership of a 'playing conference,' i.e., one which conducts a regular conference schedule in football or basketball, may not be represented on the Council by more than one individual, excluding the President and Secretary-Treasurer."

Source: Middle Atlantic States Conference; Mason-Dixon Conference.

Intent: To provide for more equitable Council representation for Divisions II/III as compared to Division I.

Action: Approved by voice vote.

EXECUTIVE COMMITTEE

No. 13. Constitution: Amend Article 5, Section 2-(a), page 22, as follows:

"(a) The Executive Committee shall be constituted as follows:

"(1) The President, Vice-President-at-Large and the Secretary-Treasurer shall be ex officio members The President and the Secretary-Treasurer and shall be chairman and secretary, respectively.

"(2) Seven Eight members shall be elected by the Council immediately following the annual Convention, or by mail vote promptly thereafter, to serve for a term of one year. At least one new member shall be elected each year.

"(3) Among the eight members elected by the Council, five shall represent Division I members and three shall represent Division II and Division III members with each of the latter divisions being represented by at least one member.

"(4) The membership of a 'playing conference,' i.e., one which conducts a regular conference schedule in football or basketball, may not be represented on the Executive Committee by more than one individual, excluding the President and Secretary-Treasurer."

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To guarantee representation on the Executive Committee to each of the three divisions, and to specify that no conference shall be represented by more than one individual (excluding the officers).

Action: Approved by a show of paddles.

COMMITTEE REPRESENTATION

No. 14. Bylaws: Amend Article 8, by adding a new Section 7, page 76, as follows:

"Section 7. The membership of a 'playing conference,' i.e., one which conducts a regular conference schedule in football or basketball, may not be represented on any committee established in Bylaw 8 by more than one individual, excluding the committee's chairman."

Source: NCAA Council (Special Committee on Reorganization-1973).

Intent: To provide for broader representation on standing committees.

Action: Approved by voice vote.

Appendix B

SPECIAL CONVENTION

Committee on Voting

Chairman—H. Boyd McWhorter

District 1—Seaver Peters, Dartmouth College

District 2—Edward M. Czeka, Pennsylvania State University

District 3—Richard T. Bowers, University of South Florida

District 4—Walter L. Hass, University of Chicago

District 5—Stanley J. Marshall, South Dakota State University

District 6—Claude R. Gilstrap, University of Texas, Arlington

District 7—Stan Bates, Western Athletic Conference

District 8—George F. Ilg, Fresno State University

At-Large—H. Boyd McWhorter, Southeastern Conference

Committee on Credentials

Chairman—Carl E. Abner

Carl E. Abner, University of Louisville

Rolla L. Anderson, Kalamazoo College

Kenneth N. Vickery, Clemson University

Parliamentarian

Marcus L. Plant, University of Michigan

Chairman of Business Sessions

Alan J. Chapman, Rice University

Chairman of Round Table

Richard P. Koenig, Valparaiso University

1974 Convention

Saint Francis Hotel, San Francisco, California, January 7-9

1975 Convention

Sheraton-Park Hotel, Washington, D.C., January 6-8

[illegible]